

3921. By Mr. LAMNECK: Petition of the board of directors of the Columbus Fruit and Vegetable Cooperative Association, Inc., Columbus, Ohio, an organization representing many truck gardeners in the Twelfth Congressional District, protesting against the passage of Senate bill 69, the train-length bill, because they feel that it is highly discriminating to agriculture and will work a tremendous hardship on the railroad companies; to the Committee on Interstate and Foreign Commerce.

3922. By Mr. MERRITT: Resolution of the Amsterdam Post, No. 55, of the Veterans of Foreign Wars, endorsing House bills 2904, 8690, and 8729; to the Committee on War Claims.

3923. Also, resolution of the Alamo Community Club, of Queens County, N. Y., unanimously protesting against the proposed shift of the Bureau of Naturalization from Queens to Brooklyn; to the Committee on Immigration and Naturalization.

SENATE

TUESDAY, FEBRUARY 1, 1938

(Legislative day of Wednesday, January 5, 1938)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, January 31, 1938, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. LEWIS. As there seems to be the absence of a quorum, I ask for a roll call.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Chavez	Holt	Nye
Andrews	Clark	Hughes	O'Mahoney
Ashurst	Connally	Johnson, Calif.	Pittman
Austin	Copeland	Johnson, Colo.	Pope
Bailey	Davis	King	Radcliffe
Bankhead	Dieterich	La Follette	Reynolds
Barkley	Donahay	Lewis	Russell
Berry	Duffy	Lodge	Schwartz
Bilbo	Ellender	Logan	Schwellenbach
Bone	Frazier	Loneragan	Sheppard
Borah	Gerry	Lundeen	Smathers
Bridges	Gillette	McGill	Smith
Brown, Mich.	Glass	McKellar	Thomas, Okla.
Brown, N. H.	Guffey	McNary	Thomas, Utah
Bulkeley	Hale	Maloney	Townsend
Bulow	Harrison	Miller	Tydings
Burke	Hatch	Milton	Vandenberg
Byrd	Hayden	Minton	Van Nuys
Byrnes	Herring	Murray	Wagner
Capper	Hill	Neely	Walsh
Caraway	Hitchcock	Norris	Wheeler

Mr. LEWIS. I announce that the Senator from Rhode Island [Mr. GREEN] is absent because of illness.

The Senator from Oklahoma [Mr. LEE] and the Senator from Louisiana [Mr. OVERTON] are absent because of colds.

The Senator from Georgia [Mr. GEORGE] is unavoidably detained from the Senate.

The Senator from Florida [Mr. PEPPER] and the Senator from Missouri [Mr. TRUMAN] are absent on important public business.

The Senator from Nevada [Mr. McCARRAN] is detained in his State on official business.

The Senator from California [Mr. McADOO] is detained in one of the departments on matters pertaining to the State of California.

I ask that this announcement stand of record for the day.

Mr. AUSTIN. I announce that my colleague the junior Senator from Vermont [Mr. GIBSON] and the Senator from Minnesota [Mr. SHIPSTEAD] are necessarily absent from the Senate.

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present.

SUPPLEMENTAL ESTIMATE—NEW BUILDING FOR THE WAR DEPARTMENT (S. DOC. NO. 136)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Treasury Department, fiscal year 1939, for site and construction of building or buildings for the War Department in the District of Columbia, amounting to \$3,000,000 (within a total limit of cost of \$26,000,000), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

INTERIM REPORT OF UNITED STATES HOUSING AUTHORITY

The VICE PRESIDENT laid before the Senate a letter from the Administrator of the United States Housing Authority, transmitting, pursuant to law, an interim report on the work of the Authority for the period from its inception through December 31, 1937, which, with the accompanying report, was referred to the Committee on Banking and Currency.

REPORT OF POTOMAC ELECTRIC POWER CO.

The VICE PRESIDENT laid before the Senate a letter from the president of the Potomac Electric Power Co., transmitting, pursuant to law, the report of the company for the year ended December 31, 1937, which, with the accompanying report, was referred to the Committee on the District of Columbia.

REPORT OF WASHINGTON RAILWAY & ELECTRIC CO.

The VICE PRESIDENT laid before the Senate a letter from the president of the Washington Railway & Electric Co., transmitting, pursuant to law, the report of the company for the year ended December 31, 1937, which, with the accompanying report, was referred to the Committee on the District of Columbia.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a letter in the nature of a memorial from the L. & L. Auto Delivery & Trucking Co., Inc., of New York City, N. Y., signed by Morris Liebowitz, president, remonstrating against the pick-up-and-delivery freight service maintained by railroads on account of its alleged excessive cost to railroad companies, which was referred to the Committee on Interstate Commerce.

Mr. CAPPER presented a resolution adopted by Earl C. Gormley Post, No. 45, American Legion, of Junction City, Kans., favoring the enactment of the bill (S. 25) to prevent profiteering in time of war and to equalize the burdens of war and thus provide for the national defense and promote peace, which was referred to the Committee on Finance.

Mr. WALSH presented a resolution adopted by the Northbridge Taxpayers' Association, Inc., Whitinsville, Mass., favoring reduction of taxes and the balancing of the Budget through retrenchment rather than by the imposition of further taxation, which was referred to the Committee on Appropriations.

Mr. HOLT presented papers in the nature of petitions from members of the Polish National Alliance Group, No. 1504; the Sheet Mill Unit of the Weirton Steel Employees' Security League; and the Dodecanesian League of America, all of Weirton, W. Va., praying for an investigation of the National Labor Relations Board, especially with a view to determining whether the Board has violated that portion of the Constitution known as the Bill of Rights, which were referred to the Committee on Education and Labor.

NEGOTIATION OF TRADE AGREEMENT WITH GREAT BRITAIN—DUTY ON LEAD

Mr. ASHURST. Mr. President, for many years I was an inveterate sinner in the matter of having printed in the RECORD various documents and letters. I have reformed during the last few years, as the Senate will note, but I believe that resolutions adopted by the legislature of a State or official communications from the Governor of a State should have a place in the CONGRESSIONAL RECORD. I therefore ask unanimous consent that there be read at the desk a tele-

gram I have received from the Governor of the State of Arizona.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the telegram will be read.

The Chief Clerk read the telegram, as follows:

PHOENIX, ARIZ., January 31, 1938.

HON. HENRY F. ASHURST,
United States Senator, Washington, D. C.:

It has been called to my attention that a proposal to decrease or eliminate the duty on lead will be discussed in negotiating the reciprocal trade treaty with Great Britain. You realize that lowering of the tariff rate with Great Britain would lower it with other nations with which we have a favored-nation treaty. Such an act would ruin the Arizona lead-mining industry. Arizona produced more than 25,000,000 pounds of lead last year. Lead production under the present tariff regulation or a higher regulation will be one of the important future resources of the State. I wish to protest any move which will endanger the Arizona small mining operator. I ask that you enter this protest with the Department of State and that you watch the situation so that Arizona's lead industry and associated mining activity may be protected. May I have copies of your future correspondence on this matter, please? Best regards.

Gov. R. C. STANFORD.

Mr. ASHURST. Mr. President, I take this opportunity to say that I agree with the Governor of Arizona in his conclusions as to the baleful effects it would have upon the State of Arizona if any such reciprocal trade agreement were entered into. It is unnecessary for me to say that I am in favor of high protective tariffs, particularly at this time; and in due course I shall lodge with the Secretary of State a protest against the negotiation of any reciprocal trade agreement which might have the effect of lowering tariffs on lead.

Mr. KING. Mr. President, let me assure my dear friend from Arizona that I think the alarm expressed by the Governor of Arizona in the telegram is unwarranted. I have had several conversations on this subject with the State Department; and I think the lead miners—and my State is a lead State, as well as is Arizona—need have no concern.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BORAH:

A bill (S. 3356) to amend section 78 of chapter 231, Thirty-sixth United States Statutes at Large (36 Stat. L., sec. 1109), relating to one judicial district to be known as the District of Idaho, and dividing it into four divisions, to be known as the northern, central, southern, and eastern divisions, defining the territory embraced in said divisions, fixing the terms of district court for said divisions, requiring the clerk of the court to maintain an office in charge of himself or deputy at Coeur d'Alene City, Idaho, Moscow, Idaho, Boise City, Idaho, and Pocatello, Idaho, and to authorize the United States District Court for the District of Idaho, by rule or order, to make such changes in the description or names to conform to such changes of description or names of counties in said divisions as the Legislature of Idaho may hereafter make; to the Committee on the Judiciary.

By Mr. LOGAN:

A bill (S. 3357) to regulate the hours of duty in the Federal Service, and for other purposes; to the Committee on Civil Service.

A bill (S. 3358) to provide for the appointment and promotion of substitute postal employees, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. TYDINGS:

A bill (S. 3359) for the relief of the Fidelity Trust Co., of Baltimore, Md., and others; to the Committee on Claims.

By Mr. WALSH (by request):

A bill (S. 3360) for the relief of George A. G. Dearborn; to the Committee on Naval Affairs.

By Mr. KING:

A bill (S. 3361) providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. HAYDEN:

A bill (S. 3362) to revise the boundary of the Grand Canyon National Park in the State of Arizona, to abolish the Grand Canyon National Monument, to restore certain lands to the public domain, and for other purposes; to the Committee on Public Lands and Surveys.

THE LAW ON RADIO PROGRAMS (S. DOC. 137)

Mr. BONE. Mr. President, I ask unanimous consent to have printed as a Senate document the articles I send to the desk, which were published in *The George Washington Law Review*, issue of January 1937. They relate to the broadcasting of radio programs in the public interest, convenience, and necessity, and also cover the general question of libel on the radio. I think the articles will be intensely interesting to every Member of the Senate and probably to 99 percent of the lawyers of the country. They are well documented and thoroughly annotated. The articles were prepared by Andrew G. Haley, senior counsel of the Federal Communications Commission.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

MERCHANT MARINE AND LABOR—ADDRESS BY SENATOR THOMAS OF UTAH

[Mr. COPELAND asked and obtained leave to have printed in the RECORD a radio address delivered by Senator THOMAS of Utah on Monday, January 31, 1938, on the subject *The Merchant Marine and Labor*, which appears in the Appendix.]

FOREIGN POLICY OF THE UNITED STATES—ARTICLE BY JAMES MORGAN

[Mr. WALSH asked and obtained leave to have printed in the RECORD an article by James Morgan, entitled "Why We Have No Foreign Policy in America," published in the *Boston (Mass.) Sunday Globe* of January 16, 1938, which appears in the Appendix.]

LITTLE AMERICANISM—ADDRESS BY ROBERT H. JACKSON

[Mr. SCHWELLENBACH asked and obtained leave to have printed in the RECORD an address on the subject of Little Americanism, delivered by Robert H. Jackson, Assistant Attorney General of the United States, before the New York Press Association at Syracuse, N. Y., January 28, 1938.]

OPINIONS OF UNITED STATES SUPREME COURT IN LABOR BOARD CASES

[Mr. WAGNER asked and obtained leave to have printed in the RECORD the opinions of the Supreme Court of the United States in the cases of *Myers et al. v. Bethlehem Shipbuilding Corp., Ltd.*; *Myers et al. v. Charles MacKenzie et al.*; and *Newport News Shipbuilding & Drydock Co. v. Bennett F. Schauflyer*.]

NATIONAL HOUSING PROGRAM—CONFERENCE REPORT

The Senate resumed consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8730) to amend the National Housing Act, and for other purposes.

The VICE PRESIDENT. Last evening, when the Senate took a recess, the Senator from New York [Mr. COPELAND] had the floor. The Chair thinks he should recognize the Senator from New York this morning.

FOREIGN POLICY OF THE UNITED STATES

Mr. PITTMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Nevada?

Mr. COPELAND. I yield to the Senator from Nevada.

Mr. PITTMAN. I was occupying the chair yesterday at the request of the Vice President when the distinguished Senator from California [Mr. JOHNSON] made certain remarks in regard to our foreign policy.

In advance, I wish to say that there is no Senator in this body for whom I have a higher regard than I have for the Senator from California; and I am quite in accord with him with regard to his observation to the effect that the Senate should be constantly advised with regard to foreign matters of a serious nature. I think our Government has a

very distinct foreign policy, however, and I know of no recent divergence from that policy. I should be very much disappointed if there were any divergence from it.

When the President of the United States first entered office he announced what I consider the fundamental foreign policy of our Government—noninterference and nonintervention in the affairs of other governments. I know of no instance so far of that policy being violated.

I realize that occasionally expressions from statesmen of foreign governments, attempting to lead our Government into a different policy, have caused uneasiness in the minds of some of our public men in this country. Recently a statement was made by a distinguished statesman of Europe who has visited our country and who has possibly a semi-official position among certain governments that might cause very serious consideration and concern.

However, I call attention to the fact that the Secretary of State gave public expression to his views with regard to the matter which, in my opinion, are quite reassuring. I wish to take issue with the statement that our Government has no foreign policy. I think the foreign policy which has been announced, that our Government will not interfere or intervene in the domestic relations of any other government, is absolutely fundamental, and I believe that so far everyone speaking authoritatively for our Government has kept within that line.

That is all I desire to say on the subject.

Mr. JOHNSON of California. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from California?

Mr. COPELAND. I yield.

Mr. JOHNSON of California. I thank the Senator from Nevada for so clearly defining the foreign policy of the United States. After listening to him no man can be in doubt as to the foreign policy of the United States, and of the President, and of the Secretary of State. He has made crystal clear that policy. But let me ask him whether the policy he suggests is the policy of the speech at Chicago of the President of the United States or whether it is the policy of which this morning the Senator speaks.

The Senator says the policy of the Secretary of State has continuously been noninterference with any country under any circumstances. What does it mean when the President speaks at Chicago and says that nations that are inhuman or brutal should be "quarantined"—"quarantined!"—and the press at the time stated that the office of the Secretary of State was at work for a week finding the appropriate word for use by the Commander in Chief? The appropriate word was found to be "quarantined"—"quarantined!"—and when that word was used by the responsible head of the Nation, what was meant? Only one thing could be meant. And then, pursuing that firm policy, that determination by which we would make it clear to every Nation that was not doing right that we would "quarantine" it if it did wrong under any circumstances, we sent our peripatetic Ambassador over to Belgium, there to meet with various other gentlemen, and there to do—ah! to do or die! They sat there at Belgium, and they made clear to the world just exactly what was the foreign policy of the United States and the foreign policy of the world, and when they got through, with no substantial answer and no word of any sort or any kind or any character, we were in the pusillanimous position of having threatened a country and not carrying the threat into effect.

I asked yesterday—and I ask today—what is the foreign policy of the United States? I ask it because I am gravely concerned over some events that are happening today in this country, and I am concerned over what may happen in the future; and because of that concern, solely because of this country and this country's fate, I ask today, as I asked yesterday, what is the foreign policy of the United States?

Mr. PITTMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Nevada?

Mr. COPELAND. I think perhaps I had better yield the floor if this debate is to continue.

The VICE PRESIDENT. The Senator may retain the floor if he desires to do so. The Senator from New York realizes, however, as other Senators do, that we are back to normalcy now in the Senate, and he may yield and still keep the floor. [Laughter.]

Mr. COPELAND. Very well; I yield.

Mr. PITTMAN. Mr. President, I am sorry the Senator from California had just left the Chamber and was temporarily absent when I started to speak. I wish again to assure him that I have the highest admiration for him, and in no sense was criticizing what he said yesterday. The discussion arose on a different matter entirely.

I agree with the Senator from California that the Senate has a function to perform in respect to foreign affairs, and it is well that it be advised with regard to them in advance of required action. I took issue with the statement often made on the floor—and repeated by the distinguished Senator from California—that our Government has no foreign policy.

Mr. President, I do not think a foreign policy may be determined by an attempted analysis of one word. All of us I think sometimes in haste use a word that is subject to a different interpretation than that intended by the speaker. That is why we sometimes correct our remarks in the Record.

I am not dealing with the word "quarantine," or the word "ostracism," which I used in an interview. I am dealing with the actions of our Government. The President in 1933 definitely laid down what the policy of this Government would be under his administration when he announced the policy of noninterference and nonintervention in the local affairs of other governments. Without regard to statements which have been made, I assert that that policy has been maintained absolutely and scrupulously by our Government.

The affair which called forth the remarks of the President in Chicago, to which the Senator from California has alluded, was a very painful matter to all of the people of our country. I know what the sentiment of the people of this country was and is with regard to violation of the treaties to which the President referred. I know the sentiment of the world condemned the violation of those treaties. The natural instinct of our people and of our Government would have been to resent it; but the Government did not resent it, because if it had, that would have been a violation of our policy of nonintervention, of noninterference. It would have been a violation of the policy of this Government established by the Congress of the United States and approved by the President in the so-called Neutrality Act.

There is a distinction between what a government may do diplomatically and what a people may do with propriety. The government of a country cannot aid one of two warring powers, or resist one of the warring powers, without being guilty of an unfriendly and unneutral act and thereby becoming involved, and involved to an unlimited extent; but the people of a country may express their resentment and condemnation in any legal way they choose to adopt, and therefore our people may ostracize a criminal violator of a treaty to which this country is a party and quarantine the sale of his goods in our country. "Quarantine" is a medical term, which might have been used and successfully explained by the Senator from New York [Mr. COPELAND], who is a distinguished physician. I did not make use of the term "quarantine." The old term "ostracism" is better understood by me. I am informed, however, that "quarantine" has many degrees of definition and is not synonymous with "blockade."

I wish to say now that I approve every act our Government has taken in its foreign policy. I am not endorsing language, I am not endorsing words, because language and words are the feeble expression of our thoughts and sentiments.

I wish we could be perfectly fair and clear in our statements with regard to the foreign policy of this Government. I do not think it is well to play on words. We have not entered into any combination with any foreign country looking to any kind of defense of this country, any kind of defense of any other country, or any military aid to any other

country. There is no act of any authoritative officer of our Government indicating such action.

Mr. JOHNSON of California. Mr. President, will the Senator yield?

Mr. PITTMAN. With pleasure.

Mr. JOHNSON of California. Does the Senator speak by the book in saying that?

Mr. PITTMAN. I do not know what the Senator means by the expression "by the book."

Mr. JOHNSON of California. I mean, does the Senator speak with authority?

Mr. PITTMAN. I speak for myself, as the Senator from California speaks for himself. If the Senator means to ask whether I am authorized to speak for anyone except myself, I admit that I am not.

Mr. JOHNSON of California. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from California?

Mr. COPELAND. I yield.

Mr. JOHNSON of California. The Senator from Nevada and I will have no personal quarrel, of course, over a matter of this sort. I think both of us feel the same. Each of us feels that in a crisis such as that confronting the world today, and particularly our country, the Senate of the United States, the Committee on Foreign Relations, if you please, is entitled to know what plan is being pursued, if any plan is being pursued.

I cannot follow the Senator when he says that no attention will be paid to words which are used. If the responsible head of a nation says in certain words that he will do a certain thing, we cannot lightly pass those words over and say they are mere words that are spoken by some individual to which no attention should be paid. Remember, it was the responsible head of our Nation who talked of "quarantining" another nation. Whether he was right or whether he was wrong does not enter into the question, but when he was willing to "quarantine" another nation he should have been willing to go through with that "quarantine," for no man should utter a threat unless he is willing to carry it out. One of the things I learned earliest in life was never to threaten, and one of the things the head of any nation should learn early in his career is never to threaten another nation; but if he threatens, he should go through with it, and if he cannot go through with it, then, of course, he should explain to his people why the mistake was made and the circumstances under which it was made.

If the President says he will "quarantine" any nation which does wrong or is an aggressor, then he must go through, I insist, and if he does not go through, he leaves us in a position which permits any man to inquire, What is the foreign policy of the United States?

Mr. LEWIS. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Illinois?

Mr. COPELAND. I yield.

Mr. LEWIS. I intrude myself at this moment to invite attention to the fact that the Senator from Nevada [Mr. PITTMAN], the eminent chairman of the Committee on Foreign Relations of the Senate, and my excellent fellow member of that committee, the distinguished senior Senator from California [Mr. JOHNSON], are both right within the sphere of their construction, but I make bold here in this assemblage to say that the reason for all of this confusion has not arisen from any expression of the President of our country, or, to use the words of the able chairman of the Committee on Foreign Relations, of the people. It has arisen because there are certain officials of foreign nations who for years have seemed to feel it was a duty they owed to civilization to interpret the expressions of the United States, then to define them, not from the point of view from which they should be rightfully understood, but as such would seem to bear a support of the undertaking of those foreign governments and their presumed policy on some specific subject then pending.

Let me illustrate in a word. When the question arose as to sanctions to be applied to Italy in entering Ethiopia, in

other words, the question of refusing to furnish Italy with any form of supplies as punishment, then rose eminent seers and philosophers, who came to our aid by giving intelligence to our blunted expressions, and announced that the United States was in "sympathy"—I use the exact words uttered by the spokesman at the time in behalf of a foreign government—that the United States was in sympathy with the policy of the sanctions. This was reannounced by voices from the League of Nations. The eminent official making the declaration stated he had made this observation upon some form of authority.

This clearly, it can be seen, would force us at once into an unneutral position, violative of the policy which the chairman of the Foreign Relations Committee has assumed and asserted was and is now that of the President.

There was never at any time emanating from this Government any statement to justify that voluntary intrusion of an audacious expression on the part of this eminent leader of a foreign country. But it awakened, in the meantime, let me add, sir, something of a feeling, and in many cases something of an expression of resentment, by Italy, and on the part of Italian-American citizens in the United States.

The able Senator from California now makes an allusion to someone to whom he refers as assuming to act for the United States somewhere, somehow. Shall we not recall that someone who did assume to act for the United States stated in a public place in Europe that if any country became involved in a conflict with another we would enter at once into consultation in respect to the conduct of those nations, and thus we would invite what was called a consultative pact, and we would decide who was aggressor? From that time on we were held up by these eminent officials in Europe, and those who sought to interpret our views as they gave them their construction, as being prepared, at the invitation of foreign nations, to join into a consultation with them to adopt a conclusion as to how we should act as advised by them.

Finally the Senator from California makes an appropriate allusion, in my judgment, to what transpired at Brussels. I may be pardoned for saying that at that time I was serving a governmental mission at Berlin, around the corner from Brussels. In all Europe there arose suddenly the deliberate charge from foreign officials, because of certain statements made and given to the public, that we had entered into an understanding to go to Brussels and sit there to punish a certain nation. It was charged that after we had called the nations to sit down at a peace table we would assume, said this eminent representative of the foreign nation, first to convict the individual or the nation, and then summon that individual or nation to judgment under the name of a conference for peace and equality.

It was very natural, Mr. President, I assert to my eminent colleagues, that there should have arisen some confusion everywhere, anywhere, as to what would be the policy of this Government if in the execution of that policy we were to be dictated to by foreign powers to serve their particular interests in a particular occasion which might arise.

For this reason, sir, I join with my eminent colleagues in saying that the foreign policy of our country is well to be stated when it can be stated by our officials, but we deny the right of the officials of any other foreign government to interpret the policy of this Government in their behalf and to their service, without the consent of America.

Mr. BORAH. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Idaho?

Mr. COPELAND. Mr. President, I know this matter is of keen interest, and believing that it should be discussed fully, I am entirely satisfied to yield until the completion of the debate on this subject.

Mr. BORAH. Mr. President, knowing as I do the relationship of the chairman of the Foreign Relations Committee to the administration, and particularly to the State Department, I heard his statement with very keen gratification.

But we are being placed in an attitude toward the other nations of the world which seems to me to need clarification. We are being charged throughout the world with having formed an alliance or alliances.

The Secretary for Foreign Affairs of Great Britain, speaking in the House of Commons a short time ago, and discussing the relationship of Great Britain to the United States, stated, in substance that we—that is, Great Britain—have no actual treaty with the United States, but we have an understanding or relationship, and daily we are in consultation with reference to our foreign policy; and when asked what was that relationship, he stated that he could not reveal it. I do not quote his exact language, but I quote it in substance sufficiently to be entirely correct as to its import.

Mr. President, I regard that statement as most unfortunate. It gave the world to understand that the United States and Great Britain had a working alliance or working relationship with reference to the eastern question particularly, and that it was of such a nature that it must be kept a secret.

Preceding that statement Great Britain had announced a great naval building policy. Succeeding the statement the United States announced a great naval building policy. And, taking the statement in connection with what had preceded and what followed, the nations of the world, practically without an exception, reached the conclusion that the United States and Great Britain are in tacit alliance and are building navies in accordance with that foreign policy. I venture the opinion that view is generally entertained upon the part of all the leading nations. I say it was a most unfortunate statement, and it ought not to be permitted to remain unanswered.

I recall also that last summer the late distinguished ambassador to Great Britain, Mr. Bingham, stated in a public speech that in the next conflict Great Britain and the United States would have man for man and ship for ship fighting side by side.

Mr. President, such statements inevitably cause the other nations of the world to understand that we have a foreign policy based upon a particular relationship with the British Nation, and when they look about and see that we are building a Navy the like of which has never been known in time of peace, they reach but one conclusion. What is the result? Since these announcements have been made every naval nation in the world has set about to increase its navy, building for preparation, as they say, in defense of themselves. What is the result? The world has practically gone mad over the proposition that these powerful nations are building for a specific purpose.

Mr. President, I must make another reference. Lately we had visitors from Great Britain. It is a most extraordinary thing, it seems to me, for prominent people from the British Empire to come to the United States and spread their propaganda to the effect that there can be no such thing as peace in the world except through a combination and a complete working alliance and understanding between Great Britain and the United States.

I do not at this time discuss the reasons why that alliance is desired or if it cannot be had why it is desired upon the part of Great Britain to have it appear that such alliance exists. That must be apparent to all who are familiar with the conditions in Europe and in the Orient. But we want no alliance, open or secret, written or oral, and furthermore we do not want the world to think we have any such alliance.

All these things cannot be whistled down the wind. They are what make foreign policy. They are the things which put nations into action. They are the very things that brought on the World War; one nation putting forth its program, and another nation putting forth a program to meet that program; and very soon we are in the midst of war by reason of these misunderstandings.

I do not for a moment challenge the statement of the able Senator from Nevada that our policy is what he said is in the mind of the Government, but I say that if these things are permitted to continue, and public opinion throughout the

world is organized upon that basis, our policy will be affected by it, in spite of anything that we may do.

Mr. PITTMAN. Mr. President, will the Senator yield to me?

Mr. COPELAND. I yield to the Senator from Nevada.

Mr. PITTMAN. The Senator from Idaho has brought to bear upon the subject of our foreign policy another act of our Government, and that is the preparation for defense. In his own mind he connects it with the preparation for defense in Great Britain. In my mind I see no such relation whatsoever.

The statement to which the Senator from Idaho referred, was made by a foreign statesman only recently with regard to a specific incident in China in which both the United States and Great Britain had suffered similar outrages. I know that the defense policy of Great Britain was started 2 years ago. I know that our enlarged Navy policy has developed only in the last few months. If we are to be in alliance with Great Britain or any other great naval power, then our defense requirements are that much less. But the very fact of our policy, not only well established by our Government but by the people of this country, that we will enter into no military alliances either for offense or defense makes the necessity for our own defense the greater.

Even Great Britain was tardy in starting its naval program. Already Japan, Italy, Germany, and other governments had been building feverishly to their financial and physical limits—yes, beyond their financial limits.

We have no financial limits in the same sense.

There is today no naval power in the world strong enough to defend its possessions against several other great naval powers in the world. There is today no naval power which can move its naval forces 3,000 miles and conduct a successful naval engagement against any one of several other naval powers. There are two naval powers which, without enlarging their naval forces, could defeat any other naval power anywhere in the world; and the very fact that we are not relying on such a naval alliance necessitates that we prepare without alliance, without assistance from anywhere in the world, to defend ourselves.

We are constantly hearing that we can make plowshares into swords. As a matter of fact, we have the longest coast line in the world, both on the Atlantic and on the Pacific. Modern invention and science, including transportation through the air, have made 3,000 miles but a short distance. These things are known. It is possible to destroy great cities and thousands of men, women, and children in a few hours by means of airplanes, bombs, and poison gas. The time has passed when 3,000 miles of Atlantic and 7,000 miles of Pacific are an impassable barrier. The things to which I refer are scientific facts. The only defense we have, outside of that provided by ourselves, is the morality, the humanity, and the honesty of people who might destroy us. Is there anything in modern times to encourage us to believe in the morality, the humanity, and the honesty of other peoples?

There have never been more than two methods of protection. One is self-protection. The other is through treaties of peace, relying upon the honesty, the morality, and the humanity of the nations with whom we enter into treaties. But have those treaties been respected? Every material treaty has been absolutely violated and wiped out. They mean nothing.

We are hardly at liberty here to discuss the brutality of the wars that are going on in the world today. We are hardly at liberty to discuss the violent, immoral, inhuman disregard of sacred promises under treaties. I do not believe there is a man or woman in this country who, understanding the world situation, will trust to the humanity and honesty of any foreign people to protect the lives of his loved ones. He must be prepared to destroy them if they attempt to destroy him and his family.

My experience through life has taught me to believe that the coward or the bully never attacks anyone he believes will eventually conquer or kill him. I think the cheapest thing this country can do for the sake of our civilization,

for the sake of humanity, and for the sake of the lives of our people is to spend a few billion dollars to warn the world that we alone, without alliance and without assistance from any other country, will destroy any government that attacks us.

NATIONAL HOUSING PROGRAM—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8730) to amend the National Housing Act, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the conference report. The Senator from New York [Mr. COPELAND] has the floor.

Mr. COPELAND. Mr. President, I am glad, indeed, that we have had the debate to which we just listened. As I said a moment ago, I think the country is keenly interested in knowing what is the naval policy and what is the foreign policy of the United States. The little speech I am about to make is of such small importance in comparison with those questions that I am happy I could yield to my able colleagues to debate them.

As I understand, the matter before us is the conference report on the housing bill. It was said on the floor of the Senate yesterday that everybody who votes against this conference report will be voting against the enactment of the bill. I assume that to mean that the purpose of any vote against the conference report is a deliberate attempt to defeat the bill.

Mr. BULKLEY. Mr. President, will the Senator yield?

Mr. COPELAND. I yield.

Mr. BULKLEY. The Senator seems to quote my language. I therefore wish to disclaim the intent which he attributes to it. What I said was that I think a vote against the conference report, in effect, is a vote against the bill, regardless of the intent of anyone who so votes.

Mr. COPELAND. So far as intent is concerned, there are 96 competent witnesses here in the Senate. Each Senator can testify as to his own convictions and intentions. I take second place to no Member of the Senate in the desire to have the housing bill passed. I am not a "Latter-Day Saint" when it comes to the matter of housing and its importance. Twenty years ago I was leading a movement in my city to improve housing conditions in a community in great need of better housing. I have had a more or less active part in every measure seeking to promote housing which has come before the Senate during my term of service. I am for this bill. I want to see it passed.

The particular matter at issue is the question of the prevailing rate of wages for labor. I read in the press this morning a statement to the effect that a group of labor men in Washington had stated, in formal declaration, that I am the enemy of maritime labor.

There could be no more untruthful statement made by any man on the face of the earth. I am the friend of maritime labor. I am the friend of labor in every walk of life. I have said for years that if I were a laboring man I should occupy a front seat at the union deliberations and do my part to bring about collective bargaining; I should be active in all other union activities which make for better living conditions and better wage conditions for American labor.

I am utterly opposed, however, to any leadership of union activity which is devoted to subversive doctrines. I do not care whether they are fascistic or communistic or what not; so long as they are un-American, I am opposed to that sort of leadership. If there are maritime "leaders" so indoctrinated I am distinctly unfriendly to them. As a loyal American I take this stand.

The only way a man who works with his hands can have any of the "gravy" of life is by dealing collectively with his fellows. He must do this to achieve better wage conditions and better living conditions.

We had before us this bill and by an overwhelming vote approved an amendment providing for the prevailing wage. What is wrong about that? What can possibly be wrong

about that? Is this bill merely to be in the interest of the banker and the monopolist, the man who has a corner on building supplies? Is it to be a bill merely to promote the welfare of those groups? Or is it a bill to help labor also? I contend that the latter is the purpose; that it is to be of benefit to labor as well as to the banker and monopolist.

Mr. BARKLEY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Kentucky?

Mr. COPELAND. I yield.

Mr. BARKLEY. If there were any specific conditions existing anywhere in the country calling for any affirmative action on the part of Congress with respect to this matter, there might be some reason for insisting upon the retention of this amendment. But the present Housing Act has been in operation for nearly 4 years, nearly \$2,000,000,000 of private funds have been expended in the repair and construction of houses under the Federal Housing Act, and in no single instance that has ever been brought to our attention has there been any controversy growing out of the administration of the act with respect to wages paid to those who have performed the labor that has been necessary to construct houses and make repairs.

Mr. COPELAND. I am glad to hear that. There can be no harm, therefore, in including the amendment in the bill.

Mr. BARKLEY. Will the Senator yield there?

Mr. COPELAND. I yield.

Mr. BARKLEY. Harm will come of any restrictive proposal or amendment that makes it more difficult to induce people with money to put their money into construction. We have no power over money; we cannot pass a law here to conscript it in time of peace, at least, though I favor a law that will put all Americans on the same equal basis in time of war with respect to their lives and their property. But we have no power to conscript money with which to build houses or to compel those who have money to invest in the building of houses. We are trying to create such a situation that they will be induced to do so, in order to give employment to people, and any restrictive proposal that would cause them to hesitate or to refuse to invest their money in building would certainly be of no benefit to labor.

Mr. COPELAND. Mr. President, I do not follow my leader in his statement. There will not be any trouble in getting money in this day and generation when investments are the most uncertain things in the world, when no man knows when he awakes in the morning whether by nightfall he will be a pauper. If he can find an investment which is going to be guaranteed, if the banker knows when he loans the money that Uncle Sam is back of the loan, there will not be any trouble getting the money.

Mr. BULKLEY. Mr. President, the difficulty is that if the amendment remains in the bill he will never know whether or not Uncle Sam is back of the loan.

Mr. COPELAND. I heard that argument yesterday. I would not think much of the able conferees—and I do think a great deal of them—if they could not rewrite this amendment in such form as to make certain that the terms of the contract would be carried out.

I heard yesterday that 5 years from now or 10 years from now when there is a foreclosure, the guaranty might be destroyed because the prevailing wage had not been paid. As I read this bill itself, there is a provision to guard against such a contingency. There would not be the slightest trouble in any county in my State to ascertain what is the prevailing rate of wages. Though the prevailing rate of wages is a varying thing—very much lower now, I am sorry to say, in some parts of the country than it has been—there are ways of finding out what the prevailing wage is. I know, too, from my conversation with the bankers of my State, that there will be no trouble in getting money for this particular enterprise if this bill shall be enacted into law.

The Senator from Ohio was somewhat sensitive when I quoted what he thought to be his words. I think others uttered them. He was sensitive about it and made the statement, in effect, that if this conference report is defeated

the bill is defeated. Why is it defeated, Mr. President? Time and time again I myself have been in conferences where the question arose as to the attitude of the House and where a particular amendment was sent to the House for consideration. That can be arranged in this instance. If there is a desire on the part of the Congress to pass this bill and to encourage housing, there can be found a way to ascertain the attitude of the House on the prevailing wage amendment.

Mr. BARKLEY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from New York yield further to the Senator from Kentucky?

Mr. COPELAND. I yield.

Mr. BARKLEY. The Senate has no power to control the procedure of the other House. This bill went back to the House with this amendment in it. They might have demanded a vote on it at the time, but they did not do so. It went to conference, and the amendment was there eliminated, after long deliberation; the conference report went back to the House, and they could have rejected it for the same reason if they had desired. They did not do so, but by an overwhelming vote adopted the conference report, indicating on two occasions that the House was not worked up over the matter and was not demanding that it be allowed to vote separately on the amendment put in the bill by the Senate.

Mr. COPELAND. Ah, Mr. President, I am familiar with "overwhelming" votes in the House; usually they are the votes of 79 to 8 or some such number as that. But if this matter is placed before the House, I have such respect for the Members of that body and such a hearty belief in their desire to enact a proper housing bill as to believe if the matter is presented to them on its merits and explained to them, that the majority of the House will say, "All right; let us take the amendment." If it should happen that the House rejects the amendment, and then the matter should come back to this floor, so far as I am concerned, I am going to vote for the bill, even if the amendment is defeated. But I want the wage earners, the laborers of this country, to have a chance to have their rights preserved in the law, exactly as the rights of the bankers and those who deal in construction materials will be protected.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. COPELAND. I yield.

Mr. BARKLEY. In addition to what I have just said about the action of the House when the bill went back there with the amendment and its action on the conference report when it adopted it, I may state that the House had this bill under consideration for some days, both in committee and on the floor of the House; and I do not attribute to the House such an inferiority below the Senate as to assume that if they had wanted such an amendment in the bill they could not have provided for it when the bill was before the House. But they did not do so. It was not even offered, not even discussed, and now we are asked to reject this conference report in order that the House may have a fourth chance to pass on the question whether it wants this amendment in the bill.

Mr. COPELAND. Mr. President, I do not propose to let any implication of words put into my speech or my mind be any reflection upon the House or an indication of any feeling on my part that there is inferiority on the part of the House. I have great respect for the House. My one regret about my congressional life is that I did not serve first in the House of Representatives. I wish I might have had that great privilege. Those men in the Senate, including my leader, who had the benefit of the experience in the House, have a great advantage over the others of us. But even though I have never been a Member of that great body, I speak of it in the highest terms and am sincere in my expression of regret that I did not have an opportunity to serve over there.

So, Mr. President, what I am arguing is that with, of course, no reflection upon the House—that is not the point—I want this matter presented to the House and explanation

made to the House why we wish to protect labor; why we wish to protect the man who is an electrician or a plumber or a carpenter or a bricklayer or a plasterer. Let it be explained to the House that we are seeking not to promote a monopoly or to erect buildings which are unworthy of the financial support of the Government, but buildings erected by men of training and skill, so that when the loans are endorsed by the United States they will be worthy and worthwhile mortgages.

Mr. President, I have seen too many hastily built houses. I have seen apartment houses put up in the case of which you could almost throw a cat through the cracks in the wall. They were hastily built, improperly built, built by unskilled persons. That is not the kind of buildings we want. It will be a long time before the payments on these mortgages we provide for are completed, and we want the buildings to be still in existence when the mortgages are finally paid.

Mr. McNARY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Oregon?

Mr. COPELAND. I do.

Mr. McNARY. I desire to propound a question to the Senator from New York because of the long years of experience he has had in connection with conference reports.

Is it not the usual practice, almost the unbroken practice, that when the Senate, after a vote, places in a bill an amendment which has not been adopted by the House, and the bill goes to conference, the Senate conferees disagree with the House conferees, and the amendment is taken to the House for a vote, so that an expression regarding it may be had from each branch of the Congress?

Mr. COPELAND. The Senator from Oregon is entirely right. His experience is much longer than mine. He knows, as I know, that that has happened a hundred times in his experience.

Mr. McNARY. Mr. President, I have not been a conferee a hundred times; but, if the Senator will bear with me, I recall one illustration which is typical of many.

In 1929 it was my lot to share here with others the control of what was called the Agricultural Marketing Act of 1929. On the floor of the Senate, against my protest, the so-called debenture plan was inserted in the bill as an amendment. I was chairman of the conferees on the part of the Senate and was opposed to the amendment; but we went into conference and we stayed with the amendment and forced the House conferees to take the amendment to the House and have a vote on it there.

That is what I think ought to be the attitude of a conferee who represents this body and represents it in good faith. The result was, after the vote in the House, that the debenture amendment was defeated and we yielded, and that ended the controversy over the debenture. That is the practice, however, and it is the honorable practice which ought to be pursued by conferees representing this body.

Mr. COPELAND. Mr. President, I fully agree with the Senator from Oregon. I remember very well a conference committee upon which I served as a member of the Appropriations Committee. There was not a member of the Senate conferees who believed in a given amendment—not one. All were opposed to it. The amendment had been presented to the Senate and passed upon, however, and had been included in the bill, and we sat in the conference day after day, until finally the amendment was submitted to the House, and favorable action was taken upon it.

That is what I want to see done here, but I desire to make it as clear as words can be chosen to make a statement clear that I want this bill to pass, with or without this amendment. I want it to pass, but I do not wish to have it enacted into law until the other House has had the opportunity we have had to give the matter debate and consideration. Then if the House, in its wisdom, shall decide that it will not accept this amendment, very well; let the bill come back, and we will pass it, and I believe by an almost unanimous vote of the Senate.

Mr. President, when we are setting up machinery to protect the lender of money, to protect the man who is to sell the materials, to protect the real-estate man who is to sell the land, to protect all others involved in the transaction, it is my solemn conviction that labor, the men who work with their hands, should be entitled to the same consideration and the same protection.

Therefore, so far as I am concerned, I shall vote against the conference report.

Mr. MILLER obtained the floor.

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. MILLER. I yield.

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Chavez	Holt	Nye
Andrews	Clark	Hughes	O'Mahoney
Ashurst	Connally	Johnson, Calif.	Pittman
Austin	Copeland	Johnson, Colo.	Pope
Bailey	Davis	King	Radcliffe
Bankhead	Dieterich	La Follette	Reynolds
Barkley	Donahay	Lewis	Russell
Berry	Duffy	Lodge	Schwartz
Bilbo	Ellender	Logan	Schwellenbach
Bone	Frazier	Loneragan	Sheppard
Borah	Gerry	Lundeen	Smathers
Bridges	Gillette	McGill	Smith
Brown, Mich.	Glass	McKellar	Thomas, Okla.
Brown, N. H.	Guffey	McNary	Thomas, Utah
Bulkley	Hale	Maloney	Townsend
Bulow	Harrison	Miller	Tydings
Burke	Hatch	Milton	Vandenberg
Byrd	Hayden	Minton	Van Nuys
Byrnes	Herring	Murray	Wagner
Capper	Hill	Neely	Walsh
Caraway	Hitchcock	Norris	Wheeler

The VICE PRESIDENT. Eighty-four Senators having answered to their names, a quorum is present.

Mr. MILLER. Mr. President, I shall not impose myself upon the Senate except for a very few moments, but during that time I should like to discuss the pending matter from the standpoint of orderly procedure in the Senate.

The question before the Senate is the adoption of the conference report on the housing bill. The question which has been debated is whether or not the conferees appointed under the rules of the Senate have carried out the wishes of the Senate or have correctly represented the Senate in the conference and in bringing back a report eliminating a certain amendment which was offered in the Senate by the Senator from Massachusetts [Mr. Lodge].

I think that if ever any evidence were needed to sustain the custom of the Senate to debate thoroughly questions presented, we have it today in the consideration of the amendment which has caused a debate for a day already upon the conference report. When the amendment was proposed by the Senator from Massachusetts, it was disposed of on December 21, as we remember, after a consideration by the Senate of probably not over 15 minutes. Then the bill was sent to conference, and I should like to call the attention of the Senate to the attitude of the conferees and the labor they have performed as indicated in the report they have made. The report may not suit us all. Very few conference reports are wholly acceptable. But we are faced with a practical situation if we are to legislate. Legislation is a matter of compromise. I do not suppose any legislation ever was enacted which suited anyone in all points. If so, I have never heard of it.

As I remember, all the conferees representing the Senate in the conference except one voted for the amendment when it was before the Senate, indicating their favorable attitude toward the amendment. Evidently they went into the conference favoring the amendment. I know they went into the conference true to the trust reposed in them by the Senate and made an effort to carry out the wishes of the Senate.

There must have been some impelling reason which causes those Senators—men of experience, men of ability, men who had committed themselves to the amendment—to bring back a report with the amendment eliminated from

the bill. The debate yesterday revealed the motives which prompted the Senators to take that action. I think, unless we have more proof than we have now, that we owe it to the conferees, in the interest of orderly legislation, to adopt the report, and to approve the labors of the conferees.

Suppose the report shall be rejected; in what position will we then be? Certainly we will ask for another conference, under the rules of the Senate, and other conferees will be appointed. Under rule LI we do not instruct conferees.

Mr. McNARY. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Oregon?

Mr. MILLER. I yield.

Mr. McNARY. The Senator is fair in his statement, but if the conference report shall be rejected by a vote of the Senate, it will then be within the rule and the practice to instruct the conferees, and it could be done in the fashion I have suggested, further to insist upon the inclusion of the amendment in the conference report. That is in accordance with the rule of the Senate.

Mr. MILLER. Certainly, a motion is in order.

Mr. McNARY. Exactly.

Mr. MILLER. But without a motion, we merely ask for another conference.

Mr. McNARY. Yes; but the motion will be made. I gave notice that it would be made, and that point will be covered.

Mr. MILLER. Mr. President, as a new Member of the Senate it is not for me to advise the Senate, and I am not undertaking to do so; but we should lodge in our conferees, and I for one am willing to lodge in the men who represent this body in conference, the responsibility of performing the task that is delegated to them by the Senate when they undertake to represent us.

Mr. McNARY. Mr. President, will the Senator yield further?

Mr. MILLER. I yield.

Mr. McNARY. I understand the Senator voted against the amendment, and he now assumes that the conference report is a sacred document, that it should not be touched or modified. If I should assume that to be a correct position, I would favor a change in the rules of the Senate so as to let the conferees write bills. A conference is appointed to bring back a report which can be studied, and that has been done in this case. Frequently reports are sent back for further consideration, because the conferees are only agents of the Senate. Why should the Senator say that, because he does not like this amendment, he wants this report to stand? That is the position and the attitude of my very eminent and lovable friend from Arkansas. I would assume that if he were for the amendment at heart he would be in favor of the report being returned to the conferees for further consideration. It makes a good deal of difference which way one is looking.

Mr. MILLER. Mr. President, I assumed some Senator would raise the question that I voted against the amendment in the beginning. I voted against the amendment because I did not believe it had any proper place in the bill, but, after having heard the debate yesterday, I am more convinced than ever before that my judgment was right in the first place. So far as the merits of the amendment are concerned, I am not at all sure that the able Senator from Oregon would be willing to insert this amendment after a free and full debate upon it, inasmuch as the proposal is that private money shall be loaned, and that a governmental regulation shall be imposed upon its lending.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. McNARY. I have no illusions about my state of mind. This matter was before us nearly 3 years ago. It was then labeled the McCarran amendment and later the Russell amendment. I supported it wholeheartedly. So it is an old subject to me, a subject with which I am very familiar, and a proposal I embraced with a good deal of feeling.

Mr. MILLER. I know the able Senator from Oregon has always been an advocate of adequate wages, and I think every Senator realizes the importance of providing adequate wages for laboring men when it is possible, and when it is proper to legislate along that line. We all know that we cannot have a continuing prosperity in this country unless we maintain buying power; we know the importance of that factor. But aside from that question, the point I am trying to emphasize is orderly procedure in the Senate. It is true, as I have stated, that I did not vote for the amendment. I might vote for the amendment after proper debate if it were inserted in a proper bill. I doubt whether there is any Member of the Senate who will go any further than I will go in the enactment of a proper wage and hour bill, or who will do more to protect labor than I will, notwithstanding the fact that some persons have said that the South is opposed to the payment of adequate wages. So far as I know, there is no such attitude of mind in the South. We are ready to meet that question at any time.

In this instance an amendment is superimposed upon a housing bill which contemplates that the money to carry into effect its provisions shall come from private individuals. Do Senators suppose that lending agencies and the communities where the work is to be performed are not interested in their fellow men? Is it the belief of Senators that the prevailing wage will not be paid? Certainly it will be paid. I am unwilling, however, to say that a man cannot undertake to build a thousand- or twelve-hundred-dollar house without having to comply with some regulation announced by the Secretary of Labor in Washington.

If it is desired that the merits of the amendment be debated, I shall be ready to do so. However, I do not care about that particular matter. I think we on this side of the aisle ought to determine now, once and for all, whether or not we are going to conduct the business of the Senate as it ought to be conducted, with orderly procedure, or whether we are going to yield to every influence which may be exerted by pressure groups.

Mr. GILLETTE. Mr. President, will the Senator yield for a question?

Mr. MILLER. I yield.

Mr. GILLETTE. The Senator has referred to orderly procedure. He has also referred to the unquestioned sincerity of the conferees. I should like to ask him if in his opinion it makes for orderly procedure for Senate conferees, as agents of the Senate, to go to a conference with House conferees on a question upon which we have voted favorably 3 to 1, a question on which the House has had no opportunity to vote, the Senate meanwhile assuming its conferees will reject the amendment and come back, after having surrendered the Senate's rights, and ask the Senate to reverse its position?

Mr. MILLER. Mr. President, I do, particularly in a case of this kind, not because this is a labor amendment, not because of the nature of the amendment, but we must remember that the amendment was not presented to the committee which had charge of formulating the bill, that it was offered on the floor of the Senate and was considered for probably 10 or 15 minutes, and was adopted. I know that Senators heard it said, "Adopt it and send it to conference." It went to conference. We have heard the statements of the Senate conferees, including the leader on this side. The conferees have disclosed to the Senate freely the motives which prompted them to bring back this report without the amendment. For my part, I am willing to accept it.

I do not take much stock in the argument which may be made that the Senate conferees did not uphold the dignity of the Senate. When I was in the House I served on conference committees with a number of Senators. I thought they did an excellent job of upholding the dignity of the Senate. I believe that never have I met quite so many obstinate men as the Senators I met in conferences. I am confident from those experiences that the conferees repre-

sented the Senate on the Housing bill did the best they could.

We hear much said about everyone desiring the passage of this housing bill. I voted for the bill when it was originally before the Senate; I expect to vote for it now; I shall vote for the bill if the Lodge amendment is retained in it; but I cannot see why, in the first place, the amendment ought to be in it, and, in the second place, I cannot see why Senators on this side of the Chamber should fail to adopt the conference report, and by their action in failing so to do, say that the conferees did not give the matter consideration. We must admit that the amendment was not considered by the Senate on the floor at the time it was adopted. At that time it was not debated.

Mr. President, that is all I have to say. In the interest of orderly procedure, in the interest of disposing of matters of great importance, of vital concern such as is the housing bill, I think the conference report ought to be adopted, and I for one intend to vote for it.

Mr. VANDENBERG. Mr. President, I desire to submit one brief observation. I am constantly impressed with the statement that the opponents of the prevailing-wage amendment anticipate that the prevailing wage will be paid on the projects undertaken under this bill even though the prevailing-wage mandate is not in the law. I am totally unable to share that view in the face of the fact that the President's message which introduced this legislation to the Senate specifically asserted that costs are too high, and specifically identified labor as one of the elements of cost. In the face, then, of the fact, in addition, that an order to pay prevailing wages has been deliberately rejected by the conferees, it seems to me that the net result of the defeat of the Lodge amendment is actually to invite the destruction of prevailing wages in any degree that the situation may satisfy the contractors and those who are at work upon the problem in the field.

Mr. President, it seems to me, furthermore, that if wages come down in construction work on Government-guaranteed projects, one of two things must happen: Either wages then go down on all other similar construction projects, or all such construction, other than Government-guaranteed projects, will cease.

We have to take one horn of the dilemma or the other. If less than prevailing wages are to be paid upon Government-guaranteed projects, then inevitably less than prevailing wages must be paid upon other projects, or all other projects must cease. So that it seems to me that fundamentally the question is whether wages are to stay up as a whole or whether wages are to go down as a whole. If we want to confront that problem, well and good.

The President of the United States has said in one message that wages must stay up. He says in the message, insofar as it relates to the particular problem we have at hand, that wages may come down. If we approve the conference report as it now confronts us, in my judgment we are agreeing with the message of November 29, which indicates that hourly wages may come down, and we are disagreeing with the subsequent Presidential statement that wages ought to stay up.

So far as I am concerned, interested as I am in this bill, expecting as I do to vote for it ultimately, I assert that it is to the best welfare of the problem to which it is addressed to have another conference assembled to see whether a rule of reason may not be applied to this particular essential factor in the economy of the country.

The PRESIDENT pro tempore. The question is on the adoption of the conference report.

Mr. LODGE obtained the floor.

Mr. McNARY. Mr. President, will the Senator yield to me?

Mr. LODGE. I yield.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Chavez	Holt	Nye
Andrews	Clark	Hughes	O'Mahoney
Ashurst	Connally	Johnson, Calif.	Pittman
Austin	Copeland	Johnson, Colo.	Pope
Bailey	Davis	King	Radcliffe
Bankhead	Dieterich	La Follette	Reynolds
Barkley	Donahey	Lewis	Russell
Berry	Duffy	Lodge	Schwartz
Bilbo	Ellender	Logan	Schwellenbach
Bone	Frazier	Loneragan	Sheppard
Borah	Gerry	Lundeen	Smathers
Bridges	Gillette	McGill	Smith
Brown, Mich.	Glass	McKellar	Thomas, Utah
Brown, N. H.	Guffey	McNary	Townsend
Bulkley	Hale	Maloney	Tydings
Bulow	Harrison	Miller	Vandenberg
Burke	Hatch	Milton	Van Nuys
Byrd	Hayden	Minton	Wagner
Byrnes	Herring	Murray	Walsh
Capper	Hill	Neely	Wheeler
Caraway	Hitchcock	Norris	

The PRESIDENT pro tempore. Eighty-three Senators having answered to their names, a quorum is present.

Mr. LODGE. Mr. President, a few minutes before the session began today I received a telegram which I desire to read to the Senate:

MIAMI, FLA., February 1, 1938.

Hon. HENRY CABOT LODGE, Jr.,
United States Senate:

Have called upon Legislative Agent Husing to appeal to Members of Senate to reject conference report and insist upon appointment of new committee with instructions to retain prevailing wage rate clause in Housing Act. Urge you read my telegram to Senator WAGNER to Members of Senate. Thanks for your assistance.

WILLIAM GREEN.

I ask unanimous consent to have several other telegrams in the same connection printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

BOSTON, MASS., February 1, 1938.

Senator HENRY CABOT LODGE, Jr.:
Congratulations on your Federal housing amendment bill; best regards.

Councilman VERNON C. NEWMAN,
Malden, Mass.

PORTCHESTER, N. Y., January 31, 1938.

Hon. Senator LODGE,
Washington, D. C.:

Our organization admires your firm stand on your amendment for the prevailing rate of wages on any Government insured building under construction. We urge that you keep up the good work and may God bless you. Is there any way we can help you?

BRICKLAYERS, MASONS, AND PLASTERERS I. U. OF A.,
WESTCHESTER COUNTY EXECUTIVE COMMITTEE,
AMERIGO J. DECHIARA, Secretary.

WOOD, WIRE, AND METAL LATHERS' INTERNATIONAL UNION,
Long Beach, Calif., January 30, 1938.

Senator HENRY CABOT LODGE,
United States Senate, Washington, D. C.

HONORABLE SIR: We, the members and officers of Lathers' Local Union, No. 172, respectively request you to use your every effort to have the new Federal housing bill carry the prevailing-wage clause.

Yours respectfully,

W. R. MOORE,
Secretary, 1231 Locust Avenue, Box No. 9.

WEXMOUTH, MASS., February 1, 1938.

Senator HENRY CABOT LODGE, Jr.:

Am wage earner, home owner, vice president Cooperative Bank, carry life and other insurance; experienced in building, am 62, long practice of sound, sane, honest, doctrines, prompts hearty endorsement of your act. Federal housing bill, which as presented is either unsound, insane, or dishonest; maybe all three. Keep fighting.

JAMES MCLEOD.

PORTLAND, MAINE, February 1, 1938.

Senator HENRY CABOT LODGE, Jr.:

More power to you. I view your fight to force the Government to compete on an equal basis with private industry, if at all, as the greatest thing since the landing of the Pilgrims. Would like to see you carry this idea over into the utility industry.

JOHN M. KIMBALL.

PAXTON, MASS., February 1, 1938.

Senator HENRY CABOT LODGE, Jr.:

Good work on the housing bill; kill it, repeal outright taxes on corporation surpluses; business will then expand with confidence relieving unemployment and needed housing will automatically take care of itself in a healthy manner. Congressmen and Senators should be the leading thinkers of our country; why can't they see these remedies or are they paving the way to buy the election this fall by blocking business recovery and having an excuse to continue W. P. A.?

MARY M. DANIHER.

Mr. SCHWELLENBACH. Mr. President, I wish very briefly to discuss the conference report.

I am rather astonished that a telegram should be sent from the president of the American Federation of Labor asking the Senate of the United States, on behalf of the American Federation of Labor, to remove the Senator from New York [Mr. WAGNER] from representation on a conference committee in connection with a question involving organized labor. If there is one man in public life in this country who has proved his friendship to the cause of organized labor, it is the junior Senator from New York.

Mr. LEWIS. Mr. President, is there such a telegram?

Mr. SCHWELLENBACH. The telegram has just been read by the junior Senator from Massachusetts.

Mr. LEWIS. Mr. President, it cannot be possible that any person not a Member of this body has really sent a telegram demanding that any Senator be removed by the Senate from a particular position of duty, and someone substituted according to the election of that particular person. I did not so understand the telegram. I should regret to hear that such a communication was brought on this floor, and all the more regret that we should sit silently by and not condemn it. If this is Mr. William Green, I can assure the Senate he is a gentleman of too much intelligence and sense of fitness to do such a thing. There must be a mistake in the reading.

Mr. McNARY. Mr. President, there is no reason for feeling to be displayed by the Senator from Illinois. I listened to the reading of the telegram. It asked that the Members of the Senate vote to return the report to conference, that a new committee be appointed, and that the Senator from New York [Mr. WAGNER] be informed. What is wrong about that? That is just what would happen if the report were returned to the conferees.

Mr. LEWIS. If such is the telegram, it is not along the line of the construction that has been given—through misapprehension, I fancy—by the Senator from Washington.

Mr. SCHWELLENBACH. Mr. President, I will read the telegram. There can be no other construction but that Mr. Green asks for the removal of the Senator from New York from the conference committee.

The telegram says:

Have called upon legislative agent Husing to appeal to Members of Senate to reject conference report and insist upon appointment of new committee with instructions to retain prevailing wage rate clause in housing act. Urge you read my telegram to Senator WAGNER to Members of Senate. Thanks for your assistance.

Mr. WHEELER. Mr. President, I must say it does not seem to me to be fair to the Senator from New York to put on the telegram the construction suggested by the Senator from Washington, nor is it fair to the other members of the conference committee.

Mr. SCHWELLENBACH. The Senator from Montana may put whatever construction he desires on the telegram; but the fact is that the Senator from New York is a member of the conference committee, and Mr. Green demands a new committee.

Mr. WHEELER. But he does not ask for the removal of the Senator from New York or anybody else.

Mr. SCHWELLENBACH. He asks for the removal of the Senator from New York and the other members of the conference committee.

Mr. WHEELER. He suggests that a new conference committee be appointed. That is not an unusual thing. It

seems to me the Senator from Washington is doing the Senator from New York an injustice when he says that the president of the American Federation of Labor picks out the Senator from New York and asks that he be removed.

Mr. HARRISON. Mr. President, will the Senator yield?

Mr. SCHWELLENBACH. I yield.

Mr. HARRISON. Unless it is a secret, who are the other conferees that Mr. Green seeks to remove?

Mr. SCHWELLENBACH. The other Democratic members are the Senator from Ohio [Mr. BULKLEY], the Senator from Kentucky [Mr. BARKLEY], and the Senator from South Dakota [Mr. HITCHCOCK].

Mr. BULKLEY. Mr. President, I presume the sender of the telegram might include the Republican members of the conference committee, although that is doubtful. The Republican members were the Senator from Delaware [Mr. TOWNSEND] and the ex-Senator from Oregon, Mr. Steiwer.

Mr. HARRISON. He asks for the removal of all the conferees, and asks that new Senate conferees be appointed.

Mr. SCHWELLENBACH. That new Senate conferees be appointed. He says "insist upon appointment of new committee."

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. SCHWELLENBACH. I yield.

Mr. O'MAHONEY. It is my recollection that when the Chair ruled a few days ago upon the point of order, he held that there was no longer any conference committee representing the House.

Mr. SCHWELLENBACH. That is my understanding. The Chair ruled that there was no longer any conference committee representing the House.

Mr. O'MAHONEY. Is it not conceivable that what Mr. Green meant was not any criticism of the Senate members of the conference committee, but merely to suggest that since there had been a formal ruling that at least a part of the conference committee has ceased to exist, a new committee be appointed, regardless of the membership? I should not interpret the telegram as being a criticism in any degree whatsoever of any member of the committee.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. SCHWELLENBACH. I yield.

Mr. BRIDGES. The Senator rather objected to the telegram from Mr. Green referring to the distinguished Senator from New York. The Senator does not seem to object to the other members of the committee being removed, but does object with respect to the Senator from New York. I wondered if there was anything sacred about the Senator from New York being on this committee.

Mr. SCHWELLENBACH. I will answer the Senator by saying that I had started to discuss the various members of the committee whose removal was insisted upon by Mr. Green. Before I had concluded referring to the Senator from New York there were a dozen or more interruptions. I have the same feeling toward the insistence upon removal from the conference committee of any member of the committee. I think the Senate conferees through the years have demonstrated their friendship to the cause of organized labor, and have demonstrated their friendship to the American Federation of Labor. I have not the slightest objection to Mr. Green instructing, by telegraph, his legislative representatives to urge us to vote one way or the other; that is his right; but I do object to Mr. Green insisting that we change our conference committee merely because of the fact that they have made a decision with which he does not agree.

Getting down, Mr. President, to the merits of this discussion, in 1934, as a part of the recovery program of the present administration, the Congress enacted the Federal housing law. We have operated under that act since 1934; we have guaranteed loans of millions upon millions of dollars from one end of the country to the other, and the act under which we have operated during the last 3 years did not contain a prevailing-wage provision.

I think it is a complete answer to those who contend that the failure to include the prevailing-wage provision in the

pending bill would result in the destruction of the wage structure of the country to remind them that we have had a housing law in operation for 3 years, and no one, from one end of the country to the other, has ever contended that there has been any destruction of the wage structure because of the lack of a prevailing-wage provision.

I advocate the prevailing-wage idea; I voted for the prevailing-wage provision in the 1935 Relief Act; I voted for it despite, as Members of the Senate will recall, tremendous pressure to vote against it. Under the appropriation contained in that act, the Government fixed wage standards throughout the country; it fixed them by paying a certain wage to a very large number of our people. I thought at that time, as I still feel—and the administration recognized it after the act was passed—that it was necessary to have in that act a provision which would make it impossible for the Government to undermine the wage standards of the various localities of the country. But this is an entirely different situation, and, with all due respect to the leaders of organized labor, I feel that they have a complete misconception and that the inclusion of this amendment in the bill would do more to hurt their members than anything we could possibly do in reference to the bill. After all, the purpose of this bill is to create such a situation that money will be loaned for housing in order that labor may be provided, in order that we may again start the wheels of industry. If we put into this measure a provision which will make it difficult, if not impossible, to operate under the Housing Act, then we are going to deprive members of organized labor in whom Mr. Green is interested, members of organized labor who belong to his organization, and all other laborers in this country of an opportunity to derive any benefit as the result of the passage of the bill.

Why is it necessary for the Government to guarantee the loans in order to have houses built? Bankers and savings and loan associations have the money with which to make the loans. A Government guaranty is not needed. They can make the loans upon the basis of the security of the houses. Through the years they have made loans upon such a basis. But, day in and day out, we are being told, particularly those of us who believe in the efforts of the present administration, that the financial interests of this country have a fear, and that the reason why it is necessary to adopt and expand the housing program, the reason why it is necessary to increase the percentage the Government will guarantee, the reason why it is necessary to increase the length of time for amortization, is that financial institutions, without this act, are not making loans because they are afraid of the security of their investments. Since we are proposing to pass an act for the specific purpose of removing that fear by giving to those financial institutions a guaranty, do we want to inject into the method by which we make the guaranty a new provision which will create a new fear? I do not sympathize with much of the fear that is prevalent in the country; I think it is unfounded; I think it has no basis whatsoever; but we must recognize the fact that it does exist, and the efforts of the administration, through this bill, have been to allay it to a certain extent.

How do we add a new fear? Lawyers in this body are familiar with the frailties and the tenuousness of a guaranteed contract. They know how easy it is for a guarantor to avoid the payment of his contract if there has been any change in the situation so far as the person who made the loan is concerned. This amendment says that the banker who makes the loan when he receives a guaranty from the Government will not receive an outright guaranty, will not receive a bond which must be paid, but he will receive a guaranty which will be good if it is proved that in the construction of the houses the prevailing wage was paid.

Immediately there arises the difficulty of finding out what the prevailing wage is. I agree with what was said yesterday that that question may be determined, but there arises also the difficulty of having proof as to whether or not a particular contractor paid the prevailing wage. Then there is the difficulty that when foreclosure upon the mortgage

occurs and the man who has made the loan turns to his guarantor, the United States Government, the disbursing officer of the United States Government then must furnish proof which will satisfy those who audit the accounts that the prevailing wage was paid. Furthermore, there remains always in the minds of those for whom we are writing this law in order that we may give them protection, in order that we may induce them to loan the money, the fact that it may be possible 4 years, 5 years, or 10 years from now for some auditor auditing the accounts of the Federal Housing Administration to insist that certain standards of proof be met, and that the guaranty will not be carried out. The whole purpose of this bill is to induce bankers and savings and loan associations to enter into a housing program and to furnish money, and yet it is sought to put into the proposed act a provision which will destroy the confidence which we try to instill in them by the passage of the measure.

The Senator from Michigan [Mr. VANDENBERG] a few moments ago talked about the message of the President and about lowering wages. I do not think a true analysis or consideration of that message to the slightest degree means that the President wants a lowering of wages. We must come to a realization in this country that there is such a thing as a real wage and that is the thing for which those who are interested in the cause of labor must work. It does not do any good to have a high wage for 3 months out of the year and no work the remainder of the year, and if by having a high wage for 3 months out of the year we would make it impossible for a man to work the remaining 9 months of the year, we would be doing him no good.

I realize what pressure has been brought upon this bill; I have been deluged with telegrams from my own State, but there are times when those who are in charge of legislative programs on the outside simply do not appreciate what is good for their members; they do not realize the effect of that for which they ask, and if there ever was a time when organized labor has come before Congress and asked for something which would definitely strike at the benefits and desires of their own members it is the effort upon the part of the American Federation of Labor to insist upon this amendment.

If we are going to have a housing program, we must have it as the result of the confidence which we create by the fact that the Government guarantees the loans. I see no value, but I see a positive disservice that we can do to those interested in it by at the same time creating a fear that the Government years from now may find itself in a position where it cannot, because of the rules and regulations written as the result of this amendment, carry out its guaranty. In that event we would have a failure of the housing program.

Mr. WHEELER. Mr. President, with some of the statements the Senator from Washington has just uttered, I entirely agree. I agree, for instance, that it is the real wage that counts. But there is no assurance, of course, in this bill that there will be any real wage.

First of all, I wish to call attention to the fact that when the original housing law was passed we were anxious to get the bankers of the country to take an interest in it, and so the Government agreed to guarantee the loans up to 80 percent. In this bill we go further and guarantee them up to 90 percent.

The interest fixed in the original law, as I recall, was 5 percent, and there was no provision in that measure which would permit the banker to charge more than 5 percent. But in the administration of the law the Housing Administration permitted the banker to charge 1½ percent as a service charge, notwithstanding the fact that there was no provision in the law permitting that to be done. In other words, the bankers were permitted to get 1½ percent above the 5 percent. I think I am correct about that.

Mr. BULKLEY. Mr. President—

Mr. WHEELER. I yield.

Mr. BULKLEY. Referring to the statement of figures made by the Senator, let me say that the service charge was one-half percent, not 1½ percent; and it was justified as

an exception contained in the legislation, which allowed the Administrator, under exceptional circumstances, to permit a higher interest rate than 5 percent.

Mr. WHEELER. I may be wrong, but my understanding was—and I was so informed by very reliable sources not later than this morning—that, as a matter of fact, they were permitted in some places to make a service charge of 1½ percent.

Mr. BULKLEY. That cannot possibly be true.

Mr. WHEELER. I am glad to have the Senator correct me, because the information given me this morning was to that effect.

Mr. BULKLEY. I think someone has made a mistake. The original legislation permitted 1 percent more than 5 percent in exceptional cases, and the Administrator allowed a rate of one-half of 1 percent to cover what was called a service charge, although there was not anything about a service charge in the legislation at all.

Mr. WHEELER. But the intention of the administration, the intention of the President, was to have 5 percent charged, and in some instances 6½ percent was charged; was it not?

Mr. BULKLEY. No, Mr. President. The intention of the legislation was to have 5 percent charged, except in certain special circumstances. Instead of confining it to special circumstances, the Administrator made a general rate of 5½ percent; but he could not have made it 6½ percent, because the limit of his authority was 6 percent, and I am not advised of any case where he permitted more than 5½ percent to be charged.

Mr. WHEELER. I may be wrong about it.

Mr. BULKLEY. I am sure the Senator is wrong to some extent.

Mr. WHEELER. I will check up on it; but I repeat that I was told this morning that in some circumstances 6½ percent is charged. It does not seem to me that the information could be incorrect, although I shall recheck it.

Mr. BULKLEY. I can assure the Senator that it is incorrect. Somebody might say that inasmuch as there are other charges, such as title-search fees, and so forth, in effect the total charge amounts to 6½ percent; but there could not be an interest charge of 6½ percent.

Mr. WHEELER. No; but the statement was that there was a service charge of 1½ percent.

Mr. BULKLEY. That must be an error.

Mr. WHEELER. Not that the interest was 6½ percent, but that the interest was 5 percent, and the authorities permitted the bankers to charge 1½ percent as a service charge.

Mr. BULKLEY. That must be an error.

Mr. WHEELER. If the Senator will check it up I think he will find that it is not an error. However, I rose, not to cover that particular matter, but rather to discuss the prevailing-wage amendment.

I can understand why the representatives of organized labor in this country at this particular time are more fearful with reference to wage cuts than they were when the bill was passed by the Senate. If Senators will read the morning newspapers, they will see that some of the mills in the State of Maine have cut wages 12½ percent. We know that the steel people are laying off employees; and the effect of practices is wage reductions.

Everyone who knows anything about the present situation in this country knows that there is a tendency on the part of employers to cut wages. In addition to that, everyone knows that if this bill is passed without the prevailing-wage-scale provision in it, a drive will be made on the part of those who will loan money for the purpose of constructing houses to cut wages on these projects. In other words, they will say, "We will not loan the money unless the wages paid in the case of this particular group of houses come down." Senators may refer to what has taken place in the past, but what will take place in the future? All of those connected with the American Federation of Labor realize perfectly well the drive that will be made.

We provide in this bill that the Housing Administration may say what kind of brick shall be used, what kind of lumber shall be used, what kind of metal shall be used, but without this amendment it cannot say how much shall be paid for labor. When a provision is put in the bill with reference to the prevailing wage, what does it mean? It simply means that in communities where there is a prevailing wage scale, the prevailing wage scale shall be paid. In some farming and other communities where there is no prevailing wage scale the provision will not apply. That is what has occurred with reference to the W. P. A., and it is what has occurred with reference to the P. W. A.

In my own home State, in some instances, provision has been made by law or municipal regulation for the payment of the prevailing wage scale. In the city of Great Falls, the city of Butte, the city of Billings, the city of Missoula, and other communities where there is a prevailing wage scale, builders have to pay the prevailing wage scale according to the wages prescribed by agreement between organized labor and the people who use their services. Outside of that, however, in smaller communities, where there is no prevailing wage and no organization of labor, builders do not pay the prevailing wage scale, for the reason that there is no such scale.

Mr. MINTON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Indiana?

Mr. WHEELER. I do.

Mr. MINTON. Did I correctly understand the Senator to say that the pending bill provides what kind of material shall be used in the buildings?

Mr. WHEELER. No; I do not say the pending bill provides what kind of material shall be used, but the Administrator can say to those constructing the buildings what kind of materials shall be used, and he has said so to them under the existing act.

Mr. MINTON. Does the Senator mean he can say that under the authority of this bill?

Mr. WHEELER. Under the authority of this bill.

Mr. MINTON. What section of the bill?

Mr. WHEELER. I am not familiar with the numbers of the sections, but I do know that the Administrator has said to persons constructing buildings under the existing act whether they should use brick, or lumber, or cement, or something else. That has been the custom, and the Senator should know it.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. MINTON. I am asking the Senator from Montana to state the provision to which he refers.

Mr. WHEELER. I cannot state to the Senator from Indiana the number of the section.

I yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, of course the representatives of the Federal Housing Administration, in the performance of their duty have inspected the material that has been used, and approved the kind of material and the kind of structure, in order that they might not be negligent in the performance of their duty to pass upon whether or not a building should be insured.

Mr. WHEELER. Certainly.

Mr. BARKLEY. But the Federal Housing Administration has not arrogated to itself the authority to prescribe what types of lumber or other material shall be used, always, of course, being interested in seeing that good material shall be used.

Mr. WHEELER. They have gone further, and have said that brick should be used in the construction of a particular set of buildings, or that wood should be used in others. They have not specified the particular kind of brick or wood, but they have said, "You will have to use wood," or "You will have to use brick," or "You will have to use something else."

Mr. BONE. Mr. President, will the Senator yield?

Mr. WHEELER. I yield to the Senator from Washington.

Mr. BONE. I take it that the Senator from Montana is familiar with the provisions frequently found in city charters

all over the country, requiring contractors on public works to pay the prevailing scale of wages in the particular community.

Mr. WHEELER. I am.

Mr. BONE. The contractor bids with full knowledge of the prevailing scale, and makes his bid accordingly. That is correct; is it not?

Mr. WHEELER. That is correct. I think there is such a provision in the case of my home city.

Mr. BONE. Such provisions exist in the case of hundreds of cities.

Mr. WHEELER. In my home city of Butte, as a matter of fact, the prevailing wage must be paid. A building cannot be constructed in the city of Butte unless the prevailing wage is paid.

With reference to the mortgage and the contract, there is not any reason why there cannot be written into this bill a provision that an inspector for the Housing Administration shall say what the prevailing wage scale is in a particular community, and it can be designated in the contract, so that a person who loans money will know precisely what he will have to pay and what the prevailing-wage scale is in the community.

Wherever there are labor organizations in the United States, there is not any question as to the prevailing wage at the time the contract is entered into. Everybody in the community knows it. If there is not a drive to reduce wages, if pressure is not going to be brought to bear to drive down wages before the loans are made, I cannot understand how there can be any possible objection to having a provision in this bill to safeguard the matter as it can be safeguarded; and it can be written into the bill in conference.

I have just had a memorandum sent to me which says that the 6½-percent rate is correct; that it includes 5-percent interest, one-half of 1 percent service charge, and 1 percent for a so-called premium charge on the insurance.

Mr. BULKLEY. Mr. President, that is exactly the suggestion I made to the Senator; that the interest rate is 5 percent and the service charge—which is a thing unknown to the law, but is included in interest—is one-half of 1 percent, and the memorandum confirms exactly what I said. I told the Senator there must be some other outside charge, which the Senator thought could not be so, and I dare say now that the 1 percent is a charge once for all and not an annual rate of interest.

Mr. WHEELER. But the Senator will agree that there is not any provision in the law permitting a service charge of even one-half of 1 percent to be made.

Mr. BULKLEY. I know just what provision there is in the law—5 percent for interest, except if the Administrator determines that there are exceptional circumstances, in which case he may permit up to 6 percent to be charged.

Under that authority the Administrator made a general order permitting one-half of 1 percent to be charged as what was designated as a service charge; but the term "service charge" was not used in the law at all.

Mr. WHEELER. Mr. President, with reference to the telegram sent by Mr. Green, I can see no reason for getting excited about it, for the reason, as has been pointed out, that it referred not to any individual but to whether or not a new conference committee should be appointed. Whether or not that is wise, the fact is that the Senate conferees were committed to work for this provision because of the fact that two-thirds of the Members of the United States Senate voted to have this provision inserted in the bill. The House would not accede to it, and they have discharged their conferees. The Senator from Tennessee [Mr. McKellar] calls my attention to the fact that three-fourths of the Members of the Senate who voted on this question were in favor of the amendment. The vote was 51 to 17 for the amendment. Consequently the Senate conferees were duty bound to work to the end that this amendment be retained in the bill. The House conferees apparently were opposed to it and felt they could not accede.

There is nothing wrong in anyone sending a letter to the Senate and saying, "In view of the fact that the conferees

could not agree, new conferees ought to be appointed." Some of the members of the conference committee have suggested that they did not want to serve if the bill were to be sent back to conference.

Mr. President, I hope that under the circumstances the bill will be sent back to conference. I hope the conferees will insert in the bill a provision for payment of the prevailing wage. I do not make the suggestion because I am opposed to the housing bill, notwithstanding the fact that I appreciate that none of the money will be spent in my State. I know that it will be spent in New York, Chicago, Philadelphia, and other large cities, but I think the housing bill is a good measure and should be enacted. I know something should be done to clear up the slum districts in New York, in Chicago, in Pittsburgh, and in Philadelphia. Thank the Lord, there are no such slum conditions in Montana.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. WHEELER. I yield.

Mr. CONNALLY. Is there any basis for the charge that if we send the bill back to conference we will be killing the bill, or that it will be an indication that we are against the bill? Can it not go back to conference and cannot the conferees work out a new amendment? The bill will not be dead, will it?

Mr. WHEELER. Of course not.

Mr. CONNALLY. The Senator from New York [Mr. WAGNER] threw some light on the action of at least one of the conferees on December 21, when the bill was voted on in the Senate. The Senator from Nebraska [Mr. NORRIS] indicated that he thought the Lodge amendment was all right. The Senator from New York said this—and this is the RECORD—I am not quoting from memory, but this is what the RECORD shows:

Mr. WAGNER. The Senator did not understand me to make any objection to it.

He was referring to the Lodge amendment.

I propose to vote for the amendment if there is a roll call.

"If there is a roll call," the implication being that he was not for it, and if he could vote against it in the dark, he would do so, but "if there is a roll call I will vote for it." There was a roll call, and the Senator from New York voted for it. Then he goes into the conference and comes back without it. Does the Senator from Montana imagine a very gallant or stubborn fight was made for the amendment, at least by the Senator from New York?

Mr. WHEELER. Of course, I do not know what the Senator did in conference.

Mr. CONNALLY. This is the RECORD. I should like to have the Senator from Montana verify what the Senator from Texas has said.

Mr. WHEELER. I read this yesterday, I believe. Answering the Senator's question with reference to the bill being killed if it goes back to conference, of course, on the face of it that is absurd, because on many occasions the Senate has sent bills back to conference. We all know how stubborn the House conferees are at times about concurring in amendments inserted by the Senate. If the bill goes back to conference I have no doubt that the amendment can be included in the bill and that the bill will not be killed. I hope the bill will go back to conference.

Mr. MINTON. Mr. President, I should like to ask the Senator from Montana a question. The last part of the amendment reads as follows:

Provided further, That adequate labor standards shall be maintained on all construction of property covered by a mortgage insured under this title.

Who would be the judge of the adequate labor standards, under the amendment?

Mr. WHEELER. I presume it would be the Administrator.

Mr. MINTON. The Administrator would have to have a supervisor out on each and every job where the Government proposed to insure in order to see that the standards were maintained on the job, would he not?

Mr. WHEELER. They do have inspectors now.

Mr. BARKLEY. Mr. President, they do not have them on the job all the time. They make an inspection at the beginning of the work, and make an inspection on the completion of the work to see whether it has been completed according to the contract and according to the specifications and the advance agreement as to insurance, but they do not keep an inspector on the job all the time.

Mr. WHEELER. I did not mean to say they kept them on the job all the time, and they would not have to keep them there all the time under this proviso. It reads:

Provided further, That adequate labor standards shall be maintained on all construction of property covered by a mortgage insured under this title.

If the Senator has ever engaged in a building enterprise, he knows that the labor organizations, where the laborers are organized, have men to watch the job very carefully, to report in the event the standards are not maintained. There would not be an inspector on the job all the time, but I suppose an inspector would go there, just as they do now, to check up on the building. There is nothing in this amendment, however, that would require them to do any more than they do at the present time with reference to inspections.

Mr. MINTON. Does not the Senator think that if they did not police the job all the time there would be a chiseling, a lowering of the standards, and a failure to pay the prevailing wage?

Mr. WHEELER. No; because where buildings are being erected, and I believe it is particularly true where the Government is interested, labor unions are constantly alert to see that the standard wage scale is observed. They are also alert to see that no one but union men are employed. They are alert to see that everything is done in accordance with the contract. They police the work. The minute the employers import laborers from elsewhere, even though enough laborers cannot be secured where the work is being done, the men will object. The unions now force the employers to keep up the standards and to pay the prevailing wage, and the men go on strike, if necessary to maintain the employer's observance of proper labor standards. The Senator need never worry about the policing or about chiseling, because the walking delegates of labor organizations will keep constantly in touch with working conditions and if there is any violation, they will immediately report it to the Administrator.

Mr. MINTON. Would they not have to police for other matters than the maintenance of the wage scale? Would they not have to police to see that all labor standards were maintained?

Mr. WHEELER. They do that all the time. A walking delegate will visit a building to see to it that the labor standards are maintained. That is one thing they do. If they do not make such inspections they are soon out as walking delegates for the union.

Mr. GLASS. Mr. President, before I leave for a meeting of the Committee on Appropriations I wish to say just one word.

I do not believe the Government of the United States was ever set up to go into the real-estate business, and for that reason I voted against the housing bill, and recently in the Committee on Banking and Currency I voted against reporting it, and I am against it now.

The Senator from Ohio [Mr. BULKLEY] gave me a good reason, momentarily, for voting against the conference report when he said a vote against it meant a vote to kill the bill. Acting upon that assumption, if I could vote—and I do not know whether or not I can obtain a transfer of my pair—I would vote against the conference report. But immediately a Senator on the other side of the Chamber rises and says that if the matter is referred back to the conference they will attach the Lodge amendment to the measure. I do not like to see the bill referred back if the amendment is to be inserted, and I am rather disposed to observe my pair and not vote at all.

I desire to have it understood that I am against the whole proposal because I do not believe the Government of the United States was ever set up to go into the real-estate business. The people who have experience in that business often make mistakes, and a bureau set up here in Washington will be bound to make mistakes all the time, as the bureau now functioning in that matter has been making mistakes.

Mr. HARRISON. Mr. President, a telegram from Mr. William Green was read a few minutes ago by the Senator from Massachusetts [Mr. LODGE], and it seemed to cause some stir and to create the impression that Mr. Green was advocating the employment of a new set of conferees in the event the conference report should be rejected. I got that impression from the first reading of the telegram.

Mr. President, I feel quite sure that Mr. Green did not intend to give such an impression. Let me read the telegram:

Have called upon legislative agent Husing to appeal to Members of the Senate to reject conference report and insist upon appointment of new committee with instructions.

There are no conferees now. The House has adopted the conference report and it is before the Senate, and when the Senate conferees made their report the work of the conference was finished. It is up to the Senate now to take action, and if the report should be rejected the matter would have to go back to a new conference. Either the old conferees could be appointed or a new set of conferees could be appointed. I am sure that is what Mr. Green had in mind, even though the language may be somewhat ambiguous.

I am sure Mr. Green intended no reflection on the Senator from New York [Mr. WAGNER], the Senator from Ohio [Mr. BULKLEY], the Senator from Kentucky [Mr. BARKLEY], and the other Senators who served on the conference. Some Senators may feel that if the report should go back the Senator from New York would put it in his hip pocket and keep it there, as he has been doing in the past. I am sure that the gentleman who sent this telegram, Mr. Green, meant no reflection upon the very able and distinguished and illustrious conferees. That is why I make the statement.

The VICE PRESIDENT. The question is on agreeing to the conference report. The clerk will call the roll.

Mr. McNARY. Mr. President, yesterday I requested the yeas and nays, and the yeas and nays were ordered. Is the clerk about to call the roll for a yea-and-nay vote or for the purpose of ascertaining whether a quorum is present?

The VICE PRESIDENT. The yeas and nays have been ordered; the clerk will call the roll under the order.

The Chief Clerk proceeded to call the roll.

Mr. BULOW (when his name was called). I have a pair with the junior Senator from Vermont [Mr. GIBSON], who is necessarily absent. I transfer that pair to the junior Senator from Rhode Island [Mr. GREEN] and vote. I vote "yea."

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Minnesota [Mr. SHIPSTEAD], who is absent. I find that I cannot get a transfer. I do not know exactly how to vote. I should like to vote some way that would kill the bill. [Laughter.]

The roll call was concluded.

Mr. LODGE. As I stated yesterday, the Senator from Nevada [Mr. McCARRAN] is absent, but, if present and at liberty to vote on this question, he would vote "nay."

Mr. CLARK. My colleague [Mr. TRUMAN] is unavoidably detained. He is paired with the Senator from Nevada [Mr. McCARRAN]. I am informed that if my colleague [Mr. TRUMAN] were present and at liberty to vote, he would vote "yea," and if the Senator from Nevada were present and at liberty to vote he would vote "nay."

Mr. HATCH. I have just been informed that the Senator from Oklahoma [Mr. LEE] is ill and confined to a hospital at this time. On this question I do not know how he would vote if he were present.

Mr. AUSTIN. I repeat that my colleague [Mr. GIBSON] is necessarily absent. If present and at liberty to vote on this question, he would vote "nay."

Mr. LEWIS. I announce that the Senator from Rhode Island [Mr. GREEN] is detained from the Senate because of illness.

The Senator from Louisiana [Mr. OVERTON] is absent because of a cold.

The Senator from Georgia [Mr. GEORGE] is unavoidably detained.

The Senator from California [Mr. McADOO] is detained in one of the Government departments on matters pertaining to the State of California.

The Senator from Nevada [Mr. McCARRAN] is absent on official business in his home State.

The Senator from Florida [Mr. PEPPER] is detained on important public business.

The Senator from Oklahoma [Mr. THOMAS] is detained in a meeting of the Committee on Appropriations.

The result was announced—yeas 42, nays 40, as follows:

YEAS—42

Andrews	Clark	King	Pope
Ashurst	Dieterich	Lewis	Radcliffe
Bailey	Duffy	Logan	Schwartz
Bankhead	Ellender	Miller	Schwellenbach
Barkley	Guffey	Milton	Sheppard
Brown, Mich.	Harrison	Minton	Smathers
Brown, N. H.	Hatch	Murray	Smith
Bulkley	Hayden	Neely	Thomas, Utah
Bulow	Herring	Norris	Wagner
Burke	Hitchcock	O'Mahoney	
Byrnes	Hughes	Pittman	

NAYS—40

Adams	Chavez	Holt	Maloney
Austin	Connally	Johnson, Calif.	Nye
Berry	Copeland	Johnson, Colo.	Reynolds
Bilbo	Davis	La Follette	Russell
Bone	Donahey	Lodge	Townsend
Borah	Frazier	Longan	Tydings
Bridges	Gerry	Lundeen	Vandenberg
Byrd	Gillette	McGill	Van Nuys
Capper	Hale	McKellar	Walsh
Caraway	Hill	McNary	Wheeler

NOT VOTING—13

George	Lee	Overtton	Thomas, Okla.
Gibson	McAdoo	Pepper	Truman
Glass	McCarran	Shipstead	White
Green			

So the report was agreed to.

Mr. McNARY. Mr. President, we have heard much about prevailing wage rates in the last 2 days. It seems appropriate to call attention to the fact that the senior Senator from Pennsylvania [Mr. DAVIS], who spoke so vigorously in defense of this principle on the floor of the Senate yesterday, is the author of the act bearing his name—S. 5904—which in 1931 passed the House and the Senate and was signed by the President, providing that the rate of wages for laborers and mechanics employed on public buildings of the United States and the District of Columbia shall be determined in accordance with prevailing rates of wages for work of a similar nature wherever constructed. During the time the Senator from Pennsylvania was Secretary of Labor he advocated this principle, and when he first came to the Senate he introduced this legislation. Thus it seems clear that in construction projects to which the Government is a party prevailing wage rates are maintained by law, whereas by the vote taken today this same right is denied labor in private construction projects.

I ask unanimous consent to have printed in the RECORD the act to which I refer and the report which accompanied the bill when it was reported by the Senator from Pennsylvania from the Committee on Manufactures of the Senate, which may serve at some future time as a model of wage and labor standards which have proven their value through practical experience.

The matter referred to is as follows:

[Public, No. 798, 71st Cong.]

S. 5904

An act relating to the rate of wages for laborers and mechanics employed on public buildings of the United States and the District of Columbia by contractors and subcontractors, and for other purposes

Be it enacted, etc., That every contract in excess of \$5,000 in amount, to which the United States or the District of Columbia is a party, which requires or involves the employment of laborers or mechanics in the construction, alteration, and/or repair of any

public buildings of the United States or the District of Columbia within the geographical limits of the States of the Union or the District of Columbia, shall contain a provision to the effect that the rate of wage for all laborers and mechanics employed by the contractor or any subcontractor on the public buildings covered by the contract shall be not less than the prevailing rate of wages for work of a similar nature in the city, town, village, or other civil division of the State in which the public buildings are located, or in the District of Columbia if the public buildings are located there, and a further provision that in case any dispute arises as to what are the prevailing rates of wages for work of a similar nature applicable to the contract which cannot be adjusted by the contracting officer, the matter shall be referred to the Secretary of Labor for determination and his decision thereon shall be conclusive on all parties to the contract: *Provided*, That in case of national emergency the President is authorized to suspend the provisions of this act.

SEC. 2. This act shall take effect 30 days after its passage but shall not affect any contract then existing or any contract that may thereafter be entered into pursuant to invitations for bids that are outstanding at the time of the passage of this act.

Approved, March 3, 1931.

S. 5904—Relating to the rate of wages for laborers and mechanics employed on public buildings of the United States and the District of Columbia by contractors and subcontractors, and for other purposes.

Mr. DAVIS; Committee on Manufactures, CONGRESSIONAL RECORD, 3252.—Reported back (S. Rept. 1445), CONGRESSIONAL RECORD, 3833.—Passed Senate, CONGRESSIONAL RECORD, 3918.—Debated in House, CONGRESSIONAL RECORD, 6504, 6519.—Passed House (in lieu of H. R. 16619), CONGRESSIONAL RECORD, 6521.—Examined and signed, CONGRESSIONAL RECORD, 6640, 6800.—Presented to the President, CONGRESSIONAL RECORD, 6705.—Approved [Public, No. 798], CONGRESSIONAL RECORD, 6906.

[Senate Report No. 1445, 71st Cong., 3d sess.]

Mr. DAVIS, from the Committee on Manufactures, submitted the following report (to accompany S. 5904):

The Committee on Manufactures, to whom was referred the bill (S. 5904) relating to the rate of wages for laborers and mechanics employed on public buildings of the United States and the District of Columbia, by contractors and subcontractors, and for other purposes, having considered the same, report it to the Senate with the recommendation that it do pass.

The purpose of this measure is to require contractors and subcontractors engaged in constructing, altering, or repairing any public building of the United States or of the District of Columbia situated within the geographic limits of the United States to pay their employees the prevailing wage rates when such wage rates have been established by private industry. In the event the contracting officer is unable to adjust any dispute as to the prevailing wage rates, this bill provides that the matter shall be referred to the Secretary of Labor for determination and that the Secretary's decision as to the wage rates shall be conclusive on all parties to the contract.

The Federal Government has entered upon an extensive public building program throughout the United States and in the District of Columbia. This program will continue for a period of 8 or 10 years and will result in the expenditure of approximately a half a billion dollars for the construction, alteration, and repair of Federal buildings. It was intended that this vast sum of money should be expended not only to properly house Federal offices in their own buildings, but also to benefit the United States at large through distribution of construction throughout the communities of the country without favoring any particular section.

The Federal Government must, under the law, award its contracts to the lowest responsible bidder. This has prevented representatives of the departments involved from requiring successful bidders to pay wages to their employees comparable to the wages paid for similar labor by private industry in the vicinity of the building projects under construction. Though the officials awarding contracts have faithfully endeavored to persuade contractors to pay local prevailing wage scales, some successful bidders have selfishly imported labor from distant localities and have exploited this labor at wages far below local wage rates.

This practice, which the Federal Government is now powerless to stop, has resulted in a very unhealthy situation. Local artisans and mechanics, many of whom are family men owning their own homes, and whose standards of living have long been adjusted to local wage scales, cannot hope to compete with this migratory labor. Not only are local workmen affected, but qualified contractors residing and doing business in the section of the country to which Federal buildings are allocated find it impossible to compete with the outside contractors, who base their estimates for labor upon the low wages they can pay to unattached, migratory workmen imported from a distance and for whom the contractors have in some cases provided housing facilities and food in flimsy, temporary quarters adjacent to the project under construction.

The question of having contractors who have been awarded Government building contracts pay fair wage scales has been passed on by the Senate in the form of an amendment introduced by Senator Couzens, of Michigan, and attached to the appropriation bill. The Federal departments have endeavored to correct the situation without the aid of legislation, but have been unable to do so. This committee has held extensive hearings on the subject

and has arrived at the conclusion that this measure will alleviate present unsatisfactory conditions and will carry out the intent of the Federal public-building policy. This legislation will provide a more equitable distribution of employment, especially in the present time of depression, and will generally benefit the country at large by requiring that those who have been awarded public-building contracts pay their employees wages comparable to the prevailing wage scales where they are employed.

The Secretary of Labor and representatives of the Treasury and War Departments have appeared before this committee and have advised this committee that the bill has their unqualified approval. Representatives of labor have appeared before the committee and have endorsed the measure as it stands. Builders throughout the country have advised the committee that they favor the principle involved in this bill.

This measure does not require the Government to establish any new wage scales in any portion of the country. It merely gives the Government the power to require its contractors to pay their employees the prevailing wage scales in the vicinity of the building projects. This is only fair and just to the employees, the contractors, and the Government alike. It gives a square deal to all.

PREVENTION OF AND PUNISHMENT FOR LYNCHING

The Senate resumed the consideration of the bill (H. R. 1507) to assure to persons within the jurisdiction of every State the equal protection of the laws, and to punish the crime of lynching.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. PEPPER] to the amendment, as modified, of the Senator from Illinois [Mr. LEWIS]. The Senator from Mississippi [Mr. BILBO] has the floor.

Mr. BILBO. Mr. President, I wish to repeat that in my judgment there is only one solution of the problem involved in the pending measure, and all other questions affecting the relationship betwixt the two races which now dwell in America. The solution to which I have reference—to use a more euphonious term than deportation—is the repatriation of the 12,000,000 Negroes who live in America at the present time.

In offering the solution, I repeat that it is not wild; it is not fanciful; it is not fantastic; it is not visionary; but it is really the cream of the judgment and statesmanship of all great men who have gone before.

The solution I am offering does not imply that I entertain a dislike or hatred for the Negro race. No man in public life has a better record of friendship and kindness for the Negro in every official act than I have exemplified as Governor of my State for 8 years. I offer the solution as the permanent and lasting solution that is sure to come to this and all other kindred problems. I offer it not only as the best remedy for the white man of America, but I offer it as the best solution for all the discriminations, abuses, and hardships that the black man complains of in this country.

It may be, for a season, that the black man will claim that he gets better treatment after he leaves the sunny South and crosses the Mason and Dixon's line; but I want to sound a note of warning to him that in years to come he will find that, on the whole, he has received and will receive better treatment from the men and women south of the Mason and Dixon's line than from any others.

It is impossible, as the history of more than 10,000 years will show, for the 12,000,000 black men and women of this country to live alongside the 120,000,000 whites without amalgamation resulting.

I know that some Senators will feel safe in denying the statement I have just made; but in the denial of it they place themselves on record as denying the truth of what has happened wherever the two races have attempted to live side by side. It has been tried repeatedly in Africa. It has been tried in Europe. It has been tried in Asia. It has been tried in South America. It has been tried on some of the islands surrounding the North American continent, and we are just now beginning to experiment with the matter in the United States.

How can anyone doubt that certain amalgamation will take place in the United States when, in a short period of 150 years, there are evidences of such amalgamation on every side? The amalgamation is going on now. It does not consist of the intermixing of the races in a legitimate

way. The thing that is bringing on the trouble is that hour by hour, day by day, and year by year, the illegitimate interbreeding of the races is taking place all over the country.

If one walks on the streets of Washington, what does he see? He sees a city of 600,000 souls, one-third of them belonging to the Negro race, and one-half of that one-third showing evidence of this amalgamation of which I am speaking.

If one goes to New York and makes a visit to the famous Cotton Club, or drives down the streets of Harlem, he will see certain unmistakable evidences of the process of amalgamation betwixt the races. If he goes to Chicago and spends a while in the Black Belt, on every hand he sees evidence of the amalgamation that has taken place within the last century. It can be observed all over the United States.

The genuine, pure, undefiled, and unamalgamated Negro from Africa was brought to this country at the beginning of the settlement of America, with his skin as black as the ace of spades, as dark as Egypt itself. After a period of 150 years at least a third of those who are today classed as Negroes show evidence of this certain interbreeding, intermixing, and amalgamation. If what I have described can take place in 150 years, pray tell me what will be the situation in the United States 200, 500, or 1,000 years from now?

History shows that the Negro is a more prolific breeder than is the white man. The Negro population is increasing in this country in a greater ratio than is the white population. Today we have 12,000,000 Negroes. There were about 150,000 when the importation of slaves into this country was prohibited in 1808. If in this short time the black race has increased until today there are 12,000,000 of them in the United States, in the next 100 years we may have 50,000,000 or 75,000,000.

When we speak of the life of a government, of the life of a republic, we speak in terms of 500, 1,000, 2,000, or 3,000 years.

If in a short period of 150 years we find half the Negroes of the United States already with the white man's blood coursing through their veins, pray, tell me, what will we find 500, 1,000, or 2,000 years from now.

The history of the last 10,000 years shows that wherever the blood of the Negro has been intermingled with that of the white man, the civilization of the white man always has suffered. Such intermingling will drag down the civilization of the Caucasian race in America.

So we may take our choice. Whether it is pleasant or not, or whether we accept it today or not, makes no difference. We will accept it, or our children's children will. We can either accept a solution that will mean the absolute separation of the two races, or we can continue to let them live side by side and take the other alternative, which is amalgamation.

At this juncture I wish to read into the RECORD from the Everyman Encyclopedia, volume 9, page 480, a true description of the Negro. If any Negrophilist or Negro lover should feel disposed to become incensed at anything I am going to say, let him read the words taken from a standard encyclopedia and heap his abuse upon those who essay to give to the reading world an encyclopedia. These are not my words, but they are the words of this encyclopedia and are backed up by authorities numbering about 20 in the recital. I say, in justice to the many Negroes in this country, who temporarily have been improved by the injection of the white man's blood, that this description may not apply to them altogether, but this is a description of the Negro as he is without adulteration, without amalgamation; this is the pure Negro; this is the original stock from which all Negroes are supposed to have originated.

Negroes form one of the four great classes of the human race. In their purest form they are probably found along the Guinea coast, in the Gaboon, the basins of the Shari and Benue, and the lower Zambesi, but the Sudan is considered the home of the race.

Of course, all Senators know where the Sudan is.

It is possible that they peopled Schlater's "Lemuria," a continent covering a large portion of the Indian Ocean, and became divided on the subsidence of the region in early and middle Tertiary times. The term is now generally restricted to the western or African

branch, those of the eastern region, of South India, Malay, New Guinea, etc., being Papuans or Malaysians. The former present various mixed types due to Caucasian migration, the latter have been affected mostly by Mongolian movement.

The Negro characteristics—

This is the part to which I desire to call special attention—

The Negro characteristics are deep brown, almost black skin—

One can look at the skin and see whether or not there has been any amalgamation—

cool, velvety, and emitting a peculiar odor—

That is the surest test known of the Negro race—the odor of his skin—

short, black, woolly hair of elliptical section; short, flat, broad, snub nose with depressed base and dilated nostrils; black eye, black iris, and yellow sclerotic coat; prognathic jaws, facial angle 70°; thick lips, protruding and showing the inner red; high and prominent cheek bones; very thick skull, dolicocephalic (index 70°); cranial capacity, 35 (average European, 45); long arms, weak legs; flat, broad foot with low instep, and "lark heel"; yellowish palms and soles; height (average 5 feet 10 inches) above the average. A marked feature is the early closing of the cranial sutures, a premature ossification appearing to prevent a full development of the brain.

Here I wish to observe that those of us who know the real Negro know that the Negro child is very bright; he learns easily and quickly, but after he reaches a certain age he ceases to learn and becomes childish and set, and here is the reason for it:

A marked feature is the early closing of the cranial sutures, a premature ossification appearing to prevent a full development of the brain. The children are described as sharp, vivacious, and intelligent, but deterioration commences at puberty and the full grown Negro remains childlike, unprogressive, lethargic, without initiation.

In the arts, that is, building, spinning, weaving, pottery, agriculture, the working of metals they are moderately advanced, but have probably learned these under Semitic influences and have certainly shown no development of their own. Their religion was very debased and cruel, fetishism, cannibalism, and slavery being the chief characteristics and outcomes, but they are now largely becoming Mohammedan.

There is a reason why the Negro would rather have the Mohammedan religion than the Christian religion. I will discuss that before I finish.

In the United States of America and South Africa, where they are largely Christianized, their acceptance is childish in nature, and their moral status appears unable to rise to the Christian ideal. They have been described as nonmoral, rather than immoral, which aptly expresses their undoubted lower stage of development. They are childishly gay and passionate, with childish rapidity in change of mood; thievish, unreliable, indolent, yet with a childish subordination to authority, and marked faithfulness, yet subject to sudden failure. These points of character united to a marked sensuousness render them a serious social problem in the more progressive and civilized lands, particularly in America. Their Republic, Haiti, has always had an evil name. The Negroid race is estimated at some 200,000,000. In the United States there are about 9,000,000, forming about one-ninth of the population, and they are more prolific than the whites.

In this short essay on the Negro, in the attempt to describe his real characteristics, the writer is talking about the Negro as he is found in his primeval haunts, in the jungles of Africa, and he elaborates on what happens to the Negro when he is brought from the jungles and comes under the influence of Caucasian culture and civilization.

They are childishly gay and passionate, with childish rapidity in change of mood; thievish, unreliable, indolent, yet with a childish subordination to authority, and marked faithfulness, yet subject to sudden failure.

They are sensual in their nature; they are passionate. That explains to some degree why we have such unthinkable, unbelievable outbursts in the acts of the Negro race which have been charged as being the cause for the lynchings which this bill attempts to correct in the South. I picked up the Washington Post of February 1, this morning, and I read on the front page this story:

VIRGINIA GIRL ATTACKED—ESCORT SHOT DEAD BY COLORED MAN
PORTSMOUTH, VA., January 31.—Norfolk County and city police were engaged in an intensive search for a colored man who shot to death Cecil V. Stivills, 30, a navy-yard worker, of this city, and criminally attacked—

That is, raped—

his girl companion near Glenshellah on the outskirts of the city late last night.

Sivills was instantly killed, a bullet entering the left side of his body and passing through his abdomen.

The girl made her way to a residence in Glenshellah where she reported the affair. The girl was sent to a local hospital. She suffered bruises on her limbs and body.

To the normal mind it is unthinkable that any human being in a civilized country could go out on a highway and allow his animal instincts, his animal passions, to become so thoroughly aroused as to kill a young man and then proceed to assault and rape his companion, the girl, whom the young white man had in his care. Such things are difficult to understand until the real nature of the real Negro and the instincts of the Negro are realized.

I am sure all of you have read some of the novels by Alexander Dumas. It would be interesting in this connection briefly to review his life.

I think Alexander Dumas is the outstanding Negro of the world. Some of you may have thought he was a Frenchman, but he was a Negro. His grandmother was a slave, a full-blooded Negress from a sugar plantation in the West India Islands. He was a quadroon. I am sure you were delighted when you read his *Three Musketeers* and some of his wonderful plays.

It is said that Alexander Dumas wrote 1,200 books. He wrote over 100 plays. He fought 20 duels with pistols and bowie knives. He accumulated from his writings a fortune of over \$5,000,000, and he boasted of the fact that he was the father of 500 illegitimate children. He spent his time gallivanting around over Europe with his \$5,000,000, being entertained by the lords and princes of the European courts because of his intellectual accomplishments as evidenced in his plays and novels. He never smoked a cigar. He never drank any whisky. He was a temperate man in those respects; but history tells us that Alexander Dumas spent his fortune of five and a half million dollars in entertaining the girls of Paris. If it had not been for his son, he would have died from starvation. As a matter of fact, he died a pauper.

To understand why Alexander Dumas led such a life, you must remember that he was a quadroon. One-fourth of Alexander Dumas was Negro; and that injection of the Negro blood easily accounts for the wild and reckless and immoral life he lived, for his being the father of 500 illegitimate children.

In making these references, I do not undertake to say, and I would not want anyone to believe, that I am charging all of the Negro race with immorality; but as you study the Negroes you find that while many of them have been improved by their contacts with the white man, his culture and his civilization, when they are left alone and have an opportunity to give absolutely free rein to their instincts and their wills, even the Christian religion, as has been shown wherever they have had the opportunity, has had very little restraining influence. That has been demonstrated especially in southern Africa, where the English missionary societies flooded the country with missionaries teaching not only political equality but social equality; and conditions became so bad that England saw the mistake she was making and put a stop to it. The fight went on there for years to protect the womanhood of the colonials in South Africa, until finally, in order to escape the conditions by which the colonials were surrounded, they left their native country and moved farther into the interior of Africa to establish a country that would be exclusively white, with no Negroes at all. There is only one continent in the world that is making an adequate effort to solve this problem and save itself and its civilization, and that is Australia. They have a law that no Negro may live in the great continent of Australia.

In announcing that repatriation of the Negro to his fatherland is the only solution of this problem, I insist that the Negro himself should accept my proposition. I repeat what I told you the other day—and I am glad to make this statement—that a very considerable element of the Negroes appreciate the fact that the Negro's native fatherland is the place for him to go, because when the panic started, be it remembered, and we made our first appropriations for relief, W. P. A. money, over 1,000,000 Negroes signed the petition

which is now on file in the White House begging President Roosevelt to finance their transportation back to their fatherland, Liberia, Africa, and their colonization there.

I want to recommend Liberia to my colored friends. It is a wonderful country. Liberia has an area of 45,000 square miles, being practically the same size as the State of Mississippi.

We have 46,000 square miles. The population of Liberia at the present time is about 2,000,000, and they are all Negroes. There are no whites there. The capital of Liberia is Monrovia. The capital city has a population of over 10,000.

The present President of Liberia is Edwin J. Barclay, who was elected in May 1931, for a 4-year term, and reelected on May 7, 1935, for an 8-year term, his present term ending in 1943.

Liberia as perhaps Senators know, lies on the southwest (Guinea) coast of Africa, between Sierra Leone (British) on the west and the French colony of the Ivory Coast on the east, with a coast line on the South Atlantic Ocean of about 350 miles. It extends inland from 75 to 150 miles. Most of the country is covered with tropical forests, rich in timber, and oil nuts, but lacking in transportation.

In 1937 there were estimated to be 10,000,000 rubber trees in Liberia. There is one motor road in the country. The population is entirely composed of the African race. About 100,000 of the dwellers along the coast may be considered civilized.

The number of American Negroes who live in Liberia is estimated at 20,000. Liberia was founded in 1822 by the American Freedmen's Society. The Abolitionists and the good Christian women of this country organized the society in 1822, and through the help of Henry Clay and other leaders of that time Liberia was established as the home for all the Negroes in the United States, especially those who had been slaves, and had been freed by their masters in the South and in the North.

Liberia was declared a republic on July 26, 1847. I want Senators to keep up with this information. There is a striking statement in the description I am giving you. In other words, in 1847 Liberia became an independent nation, a republic just like our republic. Its constitution is modeled on that of the United States. Electors must be of Negro blood.

I have heard a great deal said in this discussion about political equality between the whites and the blacks in this country. The Negro has insisted upon his political rights in all the States of this Republic. He has insisted that he is entitled to the right to vote, and that he is entitled to participate in all the political affairs of the Republic; and after he is given that, he wants all sorts of civil rights. When he gets all sorts of civil rights, he wants all sorts of social rights; and the end of the social rights means the day of the perfect functioning of the process of amalgamation in this country. Yet here in Liberia is a republic, here is a government with a constitution based upon the Constitution of the United States, inaugurated, enacted, and passed by the Negro in action, when no white man interfered; and what does the Negro say? In order to vote in Liberia, a man must have Negro blood.

Then why can the Negro race object if we, who own this white man's country—it is ours because we took it away from the Indians—say, "This is a white man's country, and no man shall vote here unless he is a white"?—that he cannot vote if he has Negro blood in his veins? When they established a republic they said, "No man can vote in our country unless he is of Negro blood."

The government rests with a president elected for 8 years, and a senate of eight. They have only eight senators in the Republic of Liberia, and they seem to be getting along all right. The lower house consists of 15 members. Eight senators are elected for 6 years, and the members of the lower house are elected for 4 years. That is the only variation between their scheme and ours.

Coffee, rubber, oil nuts, raffia, ivory, and ginger are the chief exports of Liberia, and textiles, hardware, glass,

earthenware, tobacco, spirits, rice, and foodstuffs are the principal imports into Liberia.

In 1935 the revenues of the country amounted to \$632,386, the expenditures amounted to \$515,650. It seems that Liberia is getting along better with their finances and their budget than the United States is, because they took in \$632,000 and spent but \$515,000. I do not think we can present any such record in the United States.

For 1934 the imports amounted to \$1,180,601, and the exports to \$571,793. In their trade with the United States in 1936 they imported from this country \$554,639 worth of goods, and they exported to the United States \$505,339 worth.

Briefly, that is a recent account of this wonderful African territory which was selected by the good, philanthropic abolitionist women of America in 1822 as the future home for the Negro race then residing in the United States, and they proceeded to transport year by year the Negroes who had been freed in this country, until today there are over 20,000 American Negroes colonized in Liberia.

Someone may say that if they already have 2,000,000 people in Liberia and it is a territory of only 45,000 square miles, there would not be room for the 12,000,000 Negroes in the United States. I have a suggestion to offer in this connection. On one side of Liberia the French Nation owns practically all of Africa along the coast line. On the other side of Liberia England owns all of the country. This part of Africa is a wonderful territory. The temperature ranges from 68° to as high as 98°. They are able to plant sweetpotatoes every month in the year. They can grow crops the year round. The land is very fertile. This is true of practically all of this great country which is owned by France on the one side and England on the other side.

For quite a number of years since the World War we have been trying to convince the French people and the English people of their moral obligation to pay their World War debts owing to the United States. They owe us billions of dollars, and they own in Africa some wonderful territory. I suggest that if I could persuade the Senator from New York and the Senator from Indiana to join me in the scheme of repatriation of the Negro from America to Africa, through our splendid Secretary of State we might conclude a bargain by which we could enable the French people and the English people to pay a part, at least, of their war debts by trading to the United States the English territory and the French territory in Africa, and thus give us a great wilderness, a great country almost as large as the United States, in which we might be able to colonize and to repatriate the unfortunate Negro whom we find in our midst.

I repeat, Mr. President, the Negro race as a whole is not happy in the United States, and the more the Negro is educated the more unhappy he will become, because he will then feel more keenly the certain discrimination which he will find in every State in the American Union, and as our population increases and as the competition between the men who labor in this country becomes more and more intense the discrimination will become keener as the years go by. That being true, the Negro is not going to be able to stand up under the competition of the white man, and he will become more and more dissatisfied.

If the United States can offer to the Negro a country in the wilds of Africa as large as the United States, rich in oil and minerals, in timber, in fertility; rich in everything we possess; if we can offer him such a home in his fatherland, then why should we not seek to place him where he can work out his own salvation, where there will be no discrimination? If the Negro has any sense, if he will use good judgment, he will appreciate that I am trying to be his friend, that I am trying to help him. I do not mean that we should deport the Negro; I do not mean to convey that idea. I mean that we should repatriate him, by which I mean that we are to take him as a friend, carry him back to his homeland, and there colonize him.

We could very well afford to buy every dollar's worth of property the Negro owns in the United States today. It

amounts to only about \$3,000,000,000, and we spend more than that in 1 year for relief. We can afford to buy every dollar of property the Negro has in the United States and then spend \$2,000,000,000 on top of that in buying the country for him and standing the initial expense of his colonization, starting him off, and giving him the supervision he will need at the hands of the white man's Government, just as we did with our friends in Cuba after the Spanish-American War, just as we did with our friends in the Philippine Islands; give them direction and supervision until they become thoroughly organized and thoroughly colonized and thoroughly ensconced upon their native heath.

There will be no discrimination, and no white man can come in and take the rights away from the Negroes, because the constitution of Liberia provides that the white man cannot vote in Liberia.

Someone will say, "Your proposition is nothing but nonsense. You know we cannot move the Negro to Africa." I did not say we should drive him, I did not say we should force him. I said we should prepare to purchase the land. Liberia is all ready to receive the Negro, and a part of Liberia has been set aside and dedicated by the Republic of Liberia as a home for American Negroes. They are waiting for them. I did not say we should drive the Negro, I did not say we should force him. I said we should purchase the land and agree to bear the expense of transportation and the expense of colonization, and let the Negro go of his own accord; and if he has good sense, he will go.

Why does the Negro want to stay in the United States? Just as surely as the sun shines in the heavens conditions are going to become worse for the Negro, until possibly 500 or 1,000 years from now, when the Negroes shall have been thoroughly amalgamated with the white people, we will all go down together, because the record of 10,000 years shows that the Caucasian culture and civilization always goes down when there results an amalgamation of the white with the colored race.

Some outstanding stars can be pointed to among the Negroes—those who are black and those who are mulattoes. Of course, it is true that there are exceptions, but I am speaking of the status quo of the great majority; of 95 percent of the Negro race.

I now desire to read into the RECORD the words of a man who has given his life to the study of the race problem. I wish to read the findings of this man, who has traveled in every country of the world studying this very difficult question. He says:

Let us repeat that "the color problem" is not a problem of color but of mentality. The difference between the white man, who has produced all civilizations, and the Negro, who has few cultural possessions save those which he has received from the white man, is not a color difference merely. Pigmentation affects the skin only, while civilized culture is the product of the mind's mastery over things material and spiritual. It so happens that white skin accompanies the culturally capable, while black skin accompanies the culturally deficient.

If the Negro had proved himself the master of things and the Caucasian had proved himself dependent upon the Negro's progress, we should readily concede superiority to the Negro. But as the history of civilization shows the white man to be the master of things and the colored races merely the beneficiaries of the white man's progress, we cannot deny superiority to the white man. Such conclusion is not a sentimental arrogation of the white man. He who would construct a race sociology will seek the facts of race history from which to induce generalizations. The sentimentalist will ignore the facts. The just man will see, in the white man's age-long dominion over things, undeniable implication of the white man's custodianship of creative genius. The negrophilist—

That is the Negro lover—

will ignore the white race as the sole cultural factor in progressive civilization and glibly descant upon the attainments of mankind. The negrophilist will attribute to the human race those achievements that have been attained by a particular subspecies of humanity. The negrophilist has not the vision of the scientist and cannot have, for he is color blind.

I have found a few white people in this country who could not tell the difference between a white man and a Negro. Such people are color blind.

White sentimentalists and the Negroid writers of America will trace to the institution of slavery the American Negro's cultural incapacity. Unmindful of the truth known to ethnology—that

the cultural status of the American Negro has antecedents in Africa—they ignore the fact “that in his own country the centuries have rolled away, finding him always in the same condition of dense ignorance and unalleviated savagery,” and that “the Caucasian race has been for centuries, in one or another capacity, the superior guiding or controlling force in human history, and its records contain the epitomy of human achievement. During the same period, on the contrary, the Negro has occupied in every relation of life a subordinate position, whether as a savage awaiting the touch of civilization or as a servile people, existing under the control and direction of the more highly civilized race.”

Slavery in America left the Negro in an infinitely better condition than it found him, but “the institution of slavery has loomed so large on our horizon that it has completely overshadowed that which went before it in African history. At every mention of Negro inefficiency, improvidence, or immorality it sufficed to recall slavery, and the characteristic was explained.”

Slavery not only left the American Negro more advanced culturally than the African members of his race but did this, notwithstanding the fact that the American slaves were recruited from the “sweepings of the Sudanese Plateau,” where the inferior tribes “had been crowded to the impassable barrier of the ocean.” Slavery found the Negro an animist and left him a Christian. Slavery found him a cannibal and provided him with the meat of domestic animals. It found him a naked savage and left him clothed and civilized. The apologists of the Negro ignore the fact that the Negro’s aptitudes as exemplified in America are a product of race as well as environment.

The institution of Negro slavery resulted in greater harm to the white race than to the black. The Negro has profited through contact with the white, the white has suffered loss through contact with the Negro. Contact with the white man has affected the Negro through environment; it could not and cannot affect his heredity, save that as the institution of slavery has a tendency to place a premium upon the type of Negro best suited to servitude. In this respect slavery did influence Negro heredity, inasmuch as the slave owner often resorted to selective breeding.

“The endowment of each generation at birth is dictated by heredity, but all that it acquires subsequently is the gift of environment.” Mental characteristics are subject to the laws governing heredity as well as are physical characteristics. With regard to race, heredity, and environment, Robert R. Marett, reader of social anthropology in the University of Oxford, says in his *Anthropology*, “Nor is it enough to take note simply of physical features—the shape of the skull, the color of the skin, the tint and texture of the hair, and so on. There are likewise mental characteristics that seem to be bound up closely with the organism and to follow the breed.”

Right here let me make an observation about this organism of the brain. Wherever in 10,000 years of authentic history the Caucasian race has been found anywhere on the face of the earth, that little something, that germ in the brain, has given forth inventive genius and a creative faculty that has built up a culture, a civilization, the glory and crowning achievement of the human race. But, on the other hand, wherever we find the Negro, he is minus the creative faculty, and if partially civilized by an imposed culture he drifts back into savagery and reverts to his original type.

I continue to read from this book.

For race, let it not be forgotten, presumably extends to mind as well as to body. It is not merely skin deep and circumstances can unmake, but of themselves they never yet made man, nor any other form of life.

Most of us are characters of environment. We sometimes wonder at the mentality, the intellectuality, of human beings that we find living under unfavorable conditions. They raise themselves out of their own environment. They make their way in the world. They dream, they plan, they scheme, they accomplish, they do things, and we wonder why.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. BILBO. I yield.

Mr. CONNALLY. I should like to ask the Senator from Mississippi a question, in view of the ruling of the Chair, which is that if the Senator from Mississippi should yield to the Senator from Texas in order that he might demand a quorum call, the Senator from Mississippi would lose the floor. I ask the Senator from Mississippi if there are any other Senators now present on the Senate floor, except the Senator from New Mexico [Mr. CHAVEZ], the Senator from Kentucky [Mr. BARKLEY], the Senator from Virginia [Mr. BYRD], the Senator from Texas, myself, and the Presiding Officer, the Senator from Minnesota [Mr. LUNDEEN]?

Mr. BILBO. I am signally honored by the presence of four distinguished Senators seeking information on the very important pending measure.

Mr. CONNALLY. Mr. President, will the Senator yield for another question?

Mr. BILBO. I shall be glad to yield.

Mr. CONNALLY. Does not the Senator think that Senators who insist on our remaining here and discussing this bill should also remain in the Chamber and hear the discussion? Is it not true that by their absence they evidence their determined view that this bill is to be voted on without their listening to debate or listening to discussion, but purely on considerations of either prejudice or politics, or something besides real discussion and real debate?

Mr. BILBO. I think the observation of the Senator from Texas is well founded; and I have consoled myself with the fact that 99 percent of the Senators exemplify the character spoken of in the Bible, wherein something was said about Ephraim being joined to idols. They are set in their ways. Having ears, they hear not; having eyes, they see not; and having minds, they do not use them.

Environment has placed the Negro in America above the Negro in Africa, but environment cannot, save as a factor in evolution acting over a great stretch of time, affect the Negro race traits and instincts.

When some of our good, philanthropic, Christian-hearted statesmen and members of organizations of the North get in their minds the idea that by treatment, training, and influence they can change the racial traits and instincts of the Negro, I wish to say to them, in all frankness, that they have just begun to learn their A B C's about the Negro. Such a result cannot be brought about. Suddenly released from the white man's restraining influence, the Negro would retrograde to African conditions.

I referred a while ago to the history of Liberia. In 1822 certain good Christian women of America organized the Freedmen's Society, and made arrangements to purchase the territory now known as Liberia, and began to send the freed slaves there. In 1847 there was established the Republic of Liberia, which today has a population of 2,000,000 Negroes; and yet in over 100 years those who were behind the movement have not been able to civilize, to Christianize those people, or to inculcate in them the cultural ideas of the Negroes who were sent there from the United States. In over 100 years they have been able to touch only 100,000 out of 2,000,000, or 1 out of 20.

If Negro professors, Negro editors, and Negro leaders are so thoroughly enthusiastic about the improvement of their own race, if they are so filled with a desire to go out and do something for the great cause of humanity among the Negroes that they will spend unlimited sums of money in haunting the Halls of the American Congress trying to pass this damnable piece of legislation in their mad desire to protect members of their own race, as they say, south of the Mason and Dixon's line, why do they not accept my proposition? Why do not those Negroes who pretend to be leaders in this country get behind the movement which I have suggested, help to finance it, and help to create a condition or atmosphere that will compel the Congress to make definite arrangements to permit the Negroes to go to Liberia, where there are now 1,900,000 Negroes in savagery, waiting for the touch of the white man's culture, and carry that culture to them. There is a field for the Negro missionaries.

My scheme is feasible. It is not visionary. It can be accomplished, because if I could persuade the Negroes north of the Mason and Dixon's line to become interested in the colonization of their 12,000,000 brethren in the United States in a country in Africa possessing greater natural possibilities than the United States, all they would have to do would be to communicate that fact to Mr. White, of New York, president of the Association for the Advancement of the Colored Race, and pass the word along to the distinguished Senator from New York [Mr. WAGNER] and the distinguished Senator from Indiana [Mr. VAN NUYS] that if they did not vote for a constitutional amendment giving Congress the power to finance the transportation and colonization of the Negro race in its native land in Africa, and to carry through the repatriation of every Negro in America, the Senators would not receive the support of the Negro leaders when they run

for office, and such a proposal would immediately pass on the floor of the United States Senate.

The supporters of the pending bill claim a majority in favor of the bill when and if a roll call is had. But, thanks to the Senators who did not want to invoke the cloture rule and destroy freedom of speech on the floor of the Senate, and the right of unlimited discussion of the great problems and questions affecting the welfare of this Nation, there will be no roll call on the pending measure, because we have made arrangements to educate the American people on the race question, on the legislation that should be passed, and on the legislation that should not be passed, ostensibly affecting the Negro in this country. I have accumulated material which I propose to give to the American people through the CONGRESSIONAL RECORD. I have estimated that it will take exactly 60 days to deliver that material. This is the beginning of the first 30-day period in the discussion of this question.

If we are to solve the American Negro problem, we must forever be done with the conception prevailing among not a few whites, that the Negro is such as he is by reason of his subjection to the Caucasian. Until we do this, it is impossible to approach the problem on a rational basis. Those who were familiar with the condition of the slave at his introduction into America realized that his coming hither was to result in distinct advantage to him in every respect, spiritually as well as materially. We have seen that such consciousness caused colonial divines to meet the slave vessels, kneel and pray, thanking God that He had sent the benighted African to a Christian environment.

In other words, the Negro in his primitive condition was so cannibalistic, so savage, and so far from civilization that the ministers of the gospel of this country would meet the slave ships as they came to America in the days of slavery and there kneel on the shore and pray to God, thanking God that these human souls had been snatched from the wilds of the jungle and brought to a land where there was a possibility of their recovery and salvation by coming in contact with the culture and civilization of the white man and with his Christian religion.

Then, too, we must be "done with the folly of saying that the Negro has had but three decades of opportunity for self-culture, when, as a matter of fact, he has had an equal chance with the rest of mankind since the dawn of creation.

The negrophilists who undertake to defend the Negro should remember that the Negro race, as a race, has had the same opportunity and the same length of time as the white race to make progress, to develop a civilization, a culture, and all that goes with civilization. If the Negro race has not done it, if it has failed everywhere, then why should the negrophilists have in their minds the idea that the Negro possesses in his brain that inexplicable something that makes it possible for him to think, to create, to dream dreams, and to do things that will uplift the human race? It is just not in him.

It is well known, as I read from the encyclopedia, that the human skull consists of bones united by sutures.

By the time the Negro reaches puberty those sutures, instead of remaining as such, enabling the skull to expand and the brain to grow, close in and solidify, so that the brain cannot expand. That is why the Negro child can learn early, but between the ages of 15 and 20 years he ceases to learn. Of course, if he has a little white blood in him he may go on a little further; but I am speaking of the real Negro.

Nor shall we say that the Negro is a "child race"—

That is the euphonic way some of our negrophilists put it—

for he is not, but a fully constituted, adult race, as much so as the Caucasian and the Mongolian. Also, away with the ignorance shown in the belief that "each dog will have his day" as applied to the races. When shall the Bushman, the Hottentot, and the Pygmy assume world sovereignty? When the red Indian, the Aino, and the Eskimo? The "races" that have had their day were white. And let us dismiss the unwarranted assumption that environment will directly and immediately affect heredity.

Many negrophilists think that environment will affect heredity in the Negro. In other words, give him social opportunities, give him the advantage of education, give him

the advantage of the cultured life, give him all the finer things that go with the cultured life, and after a while the Negro will be just as smart and creative and as much a genius as is the white man. Try it and see what the outcome will be. When you get through you have the same Negro you started with.

Heredity may be affected in but one way—congenitally. You may breed a superior type of Negro by selective mating, just as you may breed a superior type of Caucasian by the same process; but no amount of imitation will instill a creative instinct or capacity into the Negro, nor will education or sympathetic aid of any kind.

In other words, all intelligent people know that we can improve our race physically. We can by the proper breeding develop a race of tall men, broad men, and strong men, of vigorous and virile men; that may be done, and I do not know but that it ought to be encouraged. So, by proper mating and proper breeding, Negroes can be developed of larger physique, stronger, taller, broader in the shoulders, with larger feet, larger hands, and longer legs. That can all be done by interbreeding, but it cannot effect something in the cranium that is responsible for the creation of the civilization that blesses and uplifts the human race to better things in this world. Let the negrophilists get such things out of their systems.

In dealing with the Negro problem we must accept the Negro as a Negro—

And I am telling the Senate all the time that I do not dislike the Negro; I like him perhaps better than some of those who would vote for this bill. I am trying to be his friend; I am offering a solution—

And adapt our program accordingly. Six thousand years of history are sufficient to enable us to gage his abilities and his probabilities. He has abided at a low cultural level during this period, and we should not endanger our future by attributing capacities to the Negro above his proven worth. Nor are we to take the Negro's estimate of his own value. English writers tell us that when the European carries civilization to the backward races, these latter look upon the white men as gods and their culture as the handiwork of the gods. But a generation of them grow up amidst this culture and look upon it as their own. They claim a share in its control and end by asserting that they are superior to the white man. This is so in South Africa, and is equally so in the United States, where the gravity of the situation is further accentuated for the reason that the ignorant and credulous freed men have no adequate conception of their shortcomings. Devoid of discernment and sober judgment, they pose as the peers of their immediate fellow citizens, such is their colossal conceit, and are imbued with the belief that the people of the North stand ready to support and defend them in these pretensions.

From the standpoint of our civilization, and we should not be affected by any other consideration, the Negro problem is that of daily contact with a race that has no high material history, and whose spiritual history is not in harmony with our own, not merely the enforced contact with this race, but with its increasing millions. We are bequeathing to posterity the greatest burden that civilization may know—millions upon millions of an alien race whose increase will spread over the United States.

I appreciate the fact that a great many of our tender-hearted, sympathetic white fellow citizens will rebel at the suggestion that we buy the property of the Negroes of this country and make arrangements for them to be repatriated to their native land in Africa. They may say that would be such a hardship that it is too cruel to talk about. Well, why should they become so sympathetic and so humane at the suggestion? Their fathers and grandfathers cleared this country of the red man. They did not ask the Indian whether he wanted to move from Mississippi to Indian Territory; they did not ask the Indian whether he wanted to move from Tennessee out to the West; they did not ask the Indian whether he should be moved from Iowa on to the Dakotas. As a white man's government, they proceeded to pick the Indian up and move him by force. They did not try to persuade him. They said to him, "Come in and make a treaty and sign the terms, because it is moving day for you." They cleared the Indians out of the country. If we are now enjoying a country as the result of our fathers' and our grandfathers' action in moving the Indian, who had been here long before Christopher Columbus ever saw Amer-

ica, if we are enjoying the blessings of this country because our fathers and grandfathers were ruthless enough to protect us and our loved ones by giving us the country without fear of molestation or having to live side by side with another colored race, then why should objection be made when I now suggest that, in a peaceful way, in a humane way, in a sympathetic way, we provide the terms upon which and the money with which this unfortunate race shall be moved or repatriated to their fatherland? I repeat—and I wish every newspaper in America would carry the statement—we can take our choice; we must either repatriate the Negro to his fatherland, or this country will suffer amalgamation, and we will have a race of mongrels in the years to come. Whether we like it or not, it is true, and all history proves it to be true.

Oh, but some people are so ready to be satisfied with conditions as they obtain now. Oh, it will not happen in my lifetime or your lifetime, Mr. President. No; we will get by; we will be safe. But is that wisdom; is that foresight; is that statesmanship? We are supposed to establish policies; we are supposed to inaugurate movements in the Government that will affect the welfare of our kind and our children and our children's children on down through the years, and if we fail to do what we should do when we can do it, then we are criminally responsible, and if we do not know what to do, it is our business to find out what to do. There is only one lamp for us to be guided by to give us the light, and that is the lamp of experience, and the experience of 10,000 years demonstrates that the statement I make is true, a thousand times true.

We would do no violence to our Negro friends. We really would do them a kindness. We would give them a chance to work out their own salvation; we would free them from discrimination; we would free them from all abuses, even the abuse complained of by this very bill that is now pending before the Senate. Oh, no; some newspapers and some public men will pooh-pooh the idea, and say it will not do, it is foolishness, because they are afraid it might hurt their business, financial, political; certainly not social.

Let us analyze this burden. We will not overlook the fact that the Negro in his future millions will, by his numbers alone, limit the possibility of the increase of just so many whites, nor will we overlook the further fact that his presence is to Africanize American activities and ideals, even if the races remain separate, though we know that they will not. But here in this instance we shall consider the Negro as a depressing influence and actual burden upon the Nation in the struggle for advancement in all lines, political, economic, and social.

I remember, the other day, when my distinguished friend and colleague from Louisiana [Mr. ELLENDER] was discussing this question, he laid great emphasis upon the fact that the progress and development of the South had been retarded because of the presence of the Negro; and that is true. I agree with him, because the Negro has been an hindering influence in the industrial and material development of the entire South.

Sociologists tell us that human desires fall under one or another of six grand divisions. They designate these divisions as "the interests." They say that "an interest is an unsatisfied capacity, corresponding to an unrealized condition, and it is predisposition to such rearrangement as would tend to realize the indicated condition." The six interests which cover all the desires and aims of mankind are asserted to be those of health, wealth, sociability, knowledge, beauty, and rightness.

I want to repeat those interests:

The six interests which cover all the desires and aims of mankind are asserted to be those of health, wealth, sociability, knowledge, beauty, and rightness. Three of these may call for definition. "Sociability" is that interest utilized in harmonizing human relations, in escaping social friction. "Beauty" is understood when it is learned that this interest applies to the development of the fine arts. "Rightness" applies to the securing of justice and includes the religious interest as well. The degree of national progress is conditioned upon the degree of realization of "the interests"—

Which I have enumerated. In other words, we make progress, we reach higher levels of development of civilization, as we seek and attain these great interests—health, wealth,

sociability, knowledge, beauty, and rightness. There is no such thing as perfection here on earth; but we can struggle toward the attainment of the ideals, and in doing that we become more and more cultured and civilized.

In this connection, I desire to emphasize the fact that we are striving, especially at this time, to attain that high degree of rightness, of righteousness. Sometimes the future looks dark and gloomy. We are today confronted, in reading every daily newspaper, with records of crime throughout this great Christian, civilized country of ours. I do not look upon crime as a great many of my associates and fellows do. I have always believed that we could contribute to the decrease of crime if we knew how properly to treat crime. I believe that anywhere from 50 to 75 percent of the crime which is committed in this country could be prevented if we knew how to treat the criminal or the individual charged with crime. In other words, from 50 to 75 percent of the crime is due to the abnormal condition of the man or woman who commits the crime. It is due to a mental disturbance, or to a nervous trouble, or to a physical ailment; and before I leave my office as United States Senator I plan to introduce in Congress a bill for the establishment of a national sanatorium, laboratory, institution, or whatever it may be called, where there shall be gathered together the great psychiatrists, the great criminologists, the great psychologists of the Nation, who there shall experiment with and treat men who are addicted to repeating crime, because I believe that from 50 to 75 percent of the crime committed in this country is committed because of nervous, mental, or physical ailments. Some day, when we become more civilized, when we become more cultured, when we achieve a higher degree of the six interests I have outlined to you, instead of sending a man who has committed a crime to the penitentiary or to jail, we shall send him to a hospital for treatment. We ourselves are not civilized. We have just started to become civilized. We are in our infancy. We have not yet begun to reach the great heights of culture and the attainment of the six interests I have outlined.

I repeat that some day we shall look back upon this age, and our present method of treating crime, as almost barbarous and the men who are operating the courts of justice in trying to deal with crime will be looked upon almost as savages, because of our ignorance of the proper method of treating those who are guilty of committing crime; for I repeat that no civilized, normal human being is going to commit crime. A man has to be unbalanced in order to be a criminal.

The trouble with the Negro who is guilty of the unthinkable crimes that are sometimes committed is that he is abnormal. He is not normal. He has no reason for committing crime. The sutures of the skull have ossified, and the brain has stopped growing and expanding, and the passionate animal instincts are developed to such a high point that they overcome what little reason the childlike member of the Negro race has, and he commits the awful crimes in retribution for which the white man, in his desire to sustain white supremacy and protect his womankind, sometimes does things that he ought not to do; namely, destroys the perpetrator of crime.

We present here the interests as given in General Sociology (Albion W. Small), with arbitrary selections from their subdivisions. Comment upon the Conspectus of the Social Situation will be superfluous, for our purpose is but to show that the Negro is not and cannot be a factor in national progress.

He is an obstacle; he is in the way; he retards progress; and as the Negroes multiply and become more and more numerous, they will more and more drag down our progress and our civilization to lower levels.

With regard to the inauguration of new institutions, the Negro's influence will be nil. The inquiry for the reader, then, is not what will the Negro contribute to social progress, but how much burden will be upon the Caucasian in the latter's struggle to progress? The degree in which the Negro lags behind the Caucasian in creating and applying the material and spiritual agencies of progress will constitute the white man's burden—a burden which is to forever thwart the Nation in the attainment of those cultural heights warranted by Caucasian capacity and purpose.

In other words, the Negro has not only been a burden and a drawback to the development of the South in every particular, but he now is and he will increasingly become, as his population increases in the North, an obstacle to the development of our friends in the North. Wherever he is, he operates as an influence slowing down progress, delaying the day when we shall reach the great heights of culture and civilization that some of us dream about but which we are still a long way from attaining; when we shall reach those great interests that I have just been talking to you about, interests that are necessary before we shall attain that great day when our civilization will be the crowning work of the human race.

We are told that the Negro is with us to stay, that the Negro problem will solve itself, that if the white man be quiescent, God will solve the "race question."

Mr. President, that seems to be the attitude of some of my distinguished colleagues. They think that God Almighty is going to solve the race question for them. Some of them may think that if they can pass the pending bill they will be reelected, and that will be about the limit of God's assistance in their particular cases. I doubt whether God will have anything to do with that. In other words, there are some people who want to let things drift on.

We would expect the quiescent platitudinarians, who lull the creative element in American civilization to sleep while the noncreative element is increasing by millions, to add one more platitude and tell us that "God helps those who help themselves," but they do not. Such would be the only sensible platitude they have uttered, but it would defeat their purpose.

Yes, there is an old saying that "God helps those who help themselves." I believe in that. God will help those who help themselves, and here we are face to face with this great burden, which is already retarding the progress and slowing down the development of our own civilization, just as it has slowed down the progress of the Congress for all these weeks, as we spend the people's money in fighting this monstrous proposition. But as a matter of fact we, the so-called filibusterers, are rendering a distinct service to the majority on the floor of the Senate. Of course, our Negro friends must not be let in on that. We are saving our friends from a vote which they do not want to cast, for I do not hesitate to say, and I am willing to put it in the RECORD, and I will tell it to the country, that if we would call this bill up tomorrow morning, with 96 Senators on the floor, and take a secret ballot, so that no constituent back home, octoroon, quadroon, mulatto, or mongrel, would ever know how a Senator voted, I do not hesitate to say that this damnable, undemocratic, un-American, unspeakable, pusillanimous, outrageous bill would not get 10 votes on the floor of the Senate. So we, the Southern minority, so-called raiders, Ku Kluxers, filibusterers, are really rendering an acceptable service to our colleagues, on the other side of this proposition.

They know it is unconstitutional, they know it is un-American, they know it is un-democratic, they know it is in violation of our great scheme of government. They know it is a direct invasion of States' rights, they know it is an entering wedge that will break down and destroy State lines, and which will more and more put the centralized concentrated government in Washington in control of local domestic affairs in the 48 States of this Union. They know all that, and they are happy we are saving them from having to cast a vote which they do not want to cast. They know that we are right in our contention. Our knowledge that we are right is our reason for keeping up the fight. I said I would fight for 30 days; I did not mean that, I meant 60 days.

The late A. H. Keane, foremost among British ethnologists, in reviewing the publication of Dr. R. W. Shufeldt, *The Negro*, said of those Americans whose Negro policy would sacrifice the white race and its civilization in preference to separating the races: "On this aspect of the question I read almost with terror the warning note raised by Dr. Shufeldt, who tells us that 'there are plenty of people in this country of ours who would far rather see the entire white race here rotted by heroic injections into

their veins of all the savagery and criminality there is in the Negro than have any number of the latter in any way inconvenienced by their being returned to the country from which their ancestors came.' Such fanatical regard for the susceptibilities of a race which, after all, is entitled to scant respect, becomes a crime against humanity and, if persisted in, would end in national suicide. Surely they cannot shut their eyes to the deadly result of miscegenation in Latin America.

In other words, as Dr. Shufeldt says, there are some people in this country, controlled either by a desire for political advantage or controlled by desire for financial advantage or controlled by misguided information which comes through the teachings of some negrophilist in this country, who would be willing to see the civilization and the welfare of the white man in America destroyed eternally and forever rather than be bold enough and courageous enough to speak out to the world their convictions and help do the thing that would avert this great catastrophe to the American people and to our civilization.

Dr. Shufeldt is a northern man, a former member of the Medical Corps of the United States Army, and a naturalist of profound learning. His experience with the Negro has extended to all the Southern States and to the West Indies. During the 50 years of his scientific observation of the Negro, he has accumulated a knowledge of that race second to none other. His publication, *America's Greatest Problem—the Negro*—contains the epitome of the results of his years of investigation.

It might be profitable if some of these negrophilists and profiteers upon the Negro, both politically and financially, would get that book and read it.

He makes it clear to us that if the Negro remains in the United States the future American is to be a mongrel and the future civilization reduced to the level of the mongrel.

There are some distinguished Senators on this floor, some who would pose as statesmen, as leaders, in this great white man's country, who are so much concerned about their immediate success, their immediate progress politically, that they do not give a continental dried-apple damn what becomes of the American people and the American civilization just so long as they are saved during their lifetime. They would not do anything to save our civilization, to save our culture, to save our race, if they thought it would in any way jeopardize their welfare. There are many people in this country of that kind.

Let us compare the solutions offered by our time-serving or ignorant demagogues with those of our greatest statesmen, men whose statesmanship and prophetic vision have withstood the test of time and events.

There is quite a difference between a politician and a statesman. A politician will say anything, will do most anything, for the benefit of immediate success. That is all he can see; that is as far as he can see; that is as far as his interests will extend. On the other hand, a man who is a real leader and real statesman cares not for the immediate effect upon himself if he is once convinced that a course is right and will result in good to his country.

In company with these great Americans, let us visualize the future. If we cannot peer into the years before us and see the burden upon our children and our children's children, we are not qualified to deal with the Negro problem. Men die; man lives on. We must look to the future. This visualization is essential at the present time, for a race problem is of such insidious nature as to be realized by the mass at such late date as to render its effective solution an impossibility.

If we waited until 100 years from now, and should then suggest the repatriation of the Negro race in Africa, and offer to carry the Negroes back to their native land, it might be impossible, because by that time there will be so many mongrels in this country, there will be so much amalgamation, there will be so much intermarriage, there will be so much illegitimate breeding, that it might materially affect the population of this country if we were to transport to Africa all those who had a drop of Negro blood in them.

Jefferson, the most far-seeing of our statesmen, foretold that we awaited separation of the races or their amalgamation.

It is amusing to me to hear some of my Democratic friends at Democratic dinners make their Democratic speeches,

and quote Thomas Jefferson, the father of the Democratic Party, how they bear down upon his wisdom, his vision, and his statesmanship; yet they pass over with very little consideration Jefferson's most positive declaration, that thing about which he was most vehement, which was that we must have separation, that there should be a repatriation of the Negro, or the result would be complete amalgamation. They pass that over with very little consideration and really do not have anything to do with it.

We have seen how his analysis is true; that it agrees with every instance in the contact of races during the 60 centuries of written history. When the Negro numbered but 1,000,000, the fathers of the Republic had already foreseen the gravity of the race problem, and they knew that not the problem of slavery but that of the Negro—his physical presence—whether slave or free, was a menace to our race and institutions.

That was the problem. The fathers of the Republic were not talking about slavery, but they were talking about the fact that the Negro is of a different race; but, whether in slavery or in freedom, he was living here side by side with the white race. That was the problem.

I notice some of my Republican friends on the other side of the Chamber look upon Abraham Lincoln as the great leader of the Republican Party, the father of it, in a way. They quote from Abraham Lincoln with great gusto; they quote from his Emancipation Proclamation; yet when they come down to this serious problem of what we shall do in solving the race problem in this country they pass over all that Lincoln had to say as though his words were not worth anything at all, and they question his wisdom. Why? Because selfish interest steps in. They are not free to speak up and declare their conviction to the people whom they are attempting to lead. I say again that a leadership which does not lead is not worthy of its name. The leader who does not live up to his convictions, who does not follow the course laid out by his convictions, because he is afraid that to do so will not strike a popular chord, will sooner or later be relegated to the background—he will be forgotten—because he does not have the courage of his convictions.

Many leaders will follow the crowd because it is a crowd when he knows in his heart that what he is doing is wrong, and when the crowd finds out that he is wrong they will condemn him. They will say, "You aspired to lead. Why did you not lead right?"

I continue to read from White America.

Nothing is more certainly written in the book of fate than that these people are to be free; nor is it less certain that the two races, equally free, cannot live in the same government. Jefferson repeatedly pointed out that the problem of Negro slavery was but a phase of the Negro problem; that if the slaves were freed, the freedmen would remain. Jefferson believed that separation was possible and imperative.

Henry Clay—

I wonder which one of the States Henry Clay came from and if there are left in that State any of his kind—

Henry Clay was a lifelong advocate of the necessity of removing the Negro from America. He, like Madison, Monroe, and numerous other foremost Americans, from both North and South, became an active supporter of the American Colonization Society, the purpose of which was to return the freed Negro to Africa and which succeeded in founding the Republic of Liberia, the ruling class of which is of American origin.

Twenty thousand workers were sent over to Liberia even before slavery was abolished in this country.

Thank God for the day it was abolished. Listen to what Daniel Webster said:

Webster came to the point when he said, "If any gentlemen from the South shall propose a scheme to be carried on by this Government upon a large scale, for their (the Negroes') transportation to any colony or to any place in the world, I should be quite disposed to incur almost any expense to accomplish that object."

That is a statement Daniel Webster made in a speech delivered March 20, 1850. If Daniel Webster, who hailed from New England—dear old Boston—back yonder in 1850, was ready to shake hands with the South and say that if any scheme could be evolved by which the Negro could be repatriated to his fatherland, he would gladly concur in it,

then why cannot those who have come after him, who aspire to be leaders, and who aspire to have the reputation of trying to conserve and preserve American ideals, institutions, culture, and civilization—why cannot they join hands with the South and say, "We are ready to enact whatever legislation, constitutional or statutory, is necessary to do the Negro the real kindness of repatriating him. We will buy half of Africa if necessary, and give him plenty of country in which to work out his own salvation."

Lincoln, in response to a question by Stephen A. Douglas, with whom he was having a debate, used these words:

I will say, then, that I am not, nor ever have been, in favor of bringing about in any way the social and political equality of the white and the black races—that I am not, nor ever have been, in favor of making voters or jurors of the Negroes, nor of qualifying them to hold office, nor to intermarry with white people; and I will say in addition to this, that there is a physical difference between the white and black races which I believe will forever forbid the two races living together on terms of social and political equality.

Those are the words of Abraham Lincoln in a speech delivered September 18, 1858. Those were Abraham Lincoln's convictions then, and after he became President of the United States he never retracted these declarations.

Mr. CONNALLY. Mr. President, will the Senator yield to me for a question?

Mr. BILBO. I yield.

Mr. CONNALLY. Is it the purpose of the Senator to conclude his remarks this afternoon, or does he intend to go on tomorrow?

Mr. BILBO. I am ready to speak for 30 days. However, if the Senate desires to recess at this time I shall be glad to have a recess taken if by unanimous consent I shall be permitted to continue my remarks tomorrow.

Mr. BARKLEY. Will the Senator continue for a few minutes?

Mr. CONNALLY. At this stage why does not the Senator from Mississippi ask unanimous consent that when the recess is taken it shall be done with the understanding that the Senator has not lost the floor?

Mr. BILBO. I ask unanimous consent that when the Senate takes a recess today I shall continue to have the floor in order that I may continue my remarks tomorrow.

Mr. CONNALLY. That the recess be taken without the Senator being taken off the floor.

Mr. BILBO. Yes. I make the unanimous-consent request that if a recess is taken I shall be regarded as holding the floor.

The PRESIDING OFFICER (Mr. CHAVEZ in the chair). Is there objection to the unanimous-consent request of the Senator from Mississippi? The Chair hears none.

Mr. BILBO. I am indeed gratified and happy over the attitude of the Senate.

Mr. BARKLEY. Mr. President, I had waited a few minutes to see if the housing measure would come back from the House to be signed. It is impossible to get it back at this time, so if the Senator from Mississippi will suspend at this point I will move an executive session.

Mr. BILBO. I shall be glad to do so.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

Mr. TYDINGS, from the Committee on Territories and Insular Affairs, reported favorably the nomination of Edward W. Griffin, of Alaska, to be secretary of the Territory of Alaska.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

He also, from the same committee, reported adversely the nomination of Mahlon F. Drake to be postmaster at Highlands, N. J., in place of J. P. Adair.

Mr. SHEPPARD, from the Committee on Military Affairs, reported favorably the nomination of Chaplain (First Lt.) Morris Eugene Day, Chaplains' Reserve, to be chaplain in the Regular Army with rank from date of appointment.

He also, from the same committee, reported favorably the nominations of sundry officers for appointment, by transfer, in the Regular Army.

Mr. PITTMAN, from the Committee on the Judiciary, reported favorably the following nominations:

Lawrence S. Camp, of Georgia, to be United States attorney for the northern district of Georgia; and

George J. Keinath, of Ohio, to be United States marshal for the northern district of Ohio.

Mr. O'MAHONEY, from the Committee on the Judiciary, reported favorably the following nominations:

Benjamin B. Mozee, of Alaska, to be United States marshal for the second division, district of Alaska; and

Albert A. Sanders, of Wyoming, to be United States marshal for the district of Wyoming.

Mr. VAN NUYS, from the Committee on the Judiciary, reported favorably the nomination of Charles R. Price, of North Carolina, to be United States marshal for the western district of North Carolina.

Mr. LOGAN, from the Committee on the Judiciary, reported favorably the nomination of Marcus Erwin, of North Carolina, to be United States attorney for the western district of North Carolina.

Mr. NEELY, from the Committee on the Judiciary, reported favorably the nomination of Joe V. Gibson, Esq., to be United States attorney for the northern district of West Virginia, vice Howard L. Robinson, resigned.

The PRESIDING OFFICER (Mr. CHAVEZ in the chair). The reports will be placed on the Executive Calendar.

If there be no further reports of committees, the clerk will state in order the nominations on the Executive Calendar.

THE JUDICIARY

The legislative clerk read the nomination of William R. Smith, Jr., to be United States Attorney for the western district of Texas.

Mr. BARKLEY. I ask to have the nomination passed over.
The PRESIDING OFFICER. Without objection, the nomination will be passed over.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the Diplomatic and Foreign Service.

Mr. BARKLEY. I ask unanimous consent that the nominations in the Diplomatic and Foreign Service be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Diplomatic and Foreign Service are confirmed en bloc.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask unanimous consent that the nominations of postmasters on the Executive Calendar may be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

IN THE NAVY

The legislative clerk proceeded to read sundry nominations for promotions in the Navy.

Mr. BARKLEY. I ask unanimous consent that the nominations for promotions in the Navy may be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations for promotions in the Navy are confirmed en bloc.
That concludes the Executive Calendar.

RECESS

The Senate resumed legislative session.

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 49 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, February 2, 1938, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 1 (legislative day of January 5), 1938

PROMOTIONS IN THE DIPLOMATIC AND FOREIGN SERVICE

TO BE FOREIGN SERVICE OFFICERS OF CLASS 2

Maynard B. Barnes	Joseph F. McGurk
William C. Burdett	Robert D. Murphy
Nathaniel P. Davis	Myrl S. Myers
John G. Erhardt	Harold H. Tittmann, Jr.
Carol H. Foster	Avra M. Warren
Charles Bridgman Hosmer	Orme Wilson
Paul R. Josselyn	

TO BE FOREIGN SERVICE OFFICERS OF CLASS 3

Willard L. Bèaulac	Edward M. Groth
William P. Blocker	George D. Hopper
Howard Bucknell, Jr.	H. Freeman Matthews
Richard P. Butrick	Rudolf E. Schoenfeld
Cecil M. P. Cross	George P. Shaw
Hugh S. Fullerton	Howard K. Travers

TO BE FOREIGN SERVICE OFFICERS OF CLASS 4

Hiram A. Boucher	Laurence E. Salisbury
Herbert S. Bursley	Lester L. Schnare
Curtis T. Everett	Edwin F. Stanton
Raymond H. Geist	Fletcher Warren
Stuart E. Grummon	Samuel H. Wiley
Loy W. Henderson	

TO BE FOREIGN SERVICE OFFICERS OF CLASS 5

John H. Bruins	Marcel E. Malige
Selden Chapin	Samuel Reber
Herdon W. Goforth	Frederik van den Arend
George F. Kennan	Angus I. Ward

PROMOTIONS IN THE NAVY

Forde A. Todd to be rear admiral.
Franklin Van Valkenburgh to be captain.
Vance D. Chapline to be captain.
Frank A. Braisted to be captain.
Mark C. Bowman to be captain.
John J. Ballentine to be commander.
John R. Sullivan to be commander.
John D. Alvis to be commander.
Clifton A. F. Sprague to be commander.
Harold Biesemeier to be commander.
Franklin O. Johnson to be lieutenant commander.
Woodson V. Michaux to be lieutenant commander.
George E. Nold to be lieutenant commander.
William F. Jennings to be lieutenant commander.
Jesse R. Wallace to be lieutenant commander.
Bradford Bartlett to be lieutenant commander.
Frank R. Walker to be lieutenant commander.
John J. O'Donnell, Jr., to be lieutenant commander.
Henry F. Ripley to be lieutenant.
William J. Galbraith to be lieutenant.
Augustus R. St. Angelo to be lieutenant.
Charles F. Phillips to be lieutenant.
James A. Adkins to be lieutenant.
Harvey P. Burden to be lieutenant.
Gilbert C. Carpenter to be lieutenant.
Frank B. Miller to be lieutenant.
Joseph L. LaCombe to be lieutenant (junior grade).
Denis H. Biberse to be lieutenant (junior grade).
Charles R. Ware to be lieutenant (junior grade).
John F. Luten, to be surgeon.
Murphy K. Cureton to be passed assistant surgeon.
Richard S. Silvis to be passed assistant surgeon.
Charles L. Strain to be civil engineer.
Robert H. Meade to be civil engineer.
Lewis C. Cox to be assistant civil engineer.
William C. G. Church to be assistant civil engineer.

Richard L. Mann to be assistant civil engineer.
 Albert E. Stone to be chaplain.
 Cecil E. Dowling (and not Dawling) to be chief boatswain.
 Wilbur D. Platt to be chief boatswain.
 Harvey M. Anderson to be chief boatswain.
 Frank Guthrie to be chief boatswain.
 Francis P. Moran to be chief boatswain.
 John J. O'Brien to be chief boatswain.
 Jack Seward to be chief carpenter.
 Samuel W. McGovern to be chief gunner.

POSTMASTERS
 CALIFORNIA

John E. White, Banning.
 Dina M. Tobin, Cutler.
 Chester W. Seely, Hamilton Field.
 Charles D. South, Jr., Santa Clara.
 Robert H. Frost, Sausalito.
 John E. Johnson, Weott.

ILLINOIS

Oscar E. Bantz, Fithian.

LOUISIANA

Joseph M. Blache, Sr., Hammond.
 Charles W. Carson, Pitkin.

MISSISSIPPI

Annie K. Mauldin, Water Valley.

NEBRASKA

Louis F. Kreizinger, Bellwood.

NEW YORK

Eva Purcell, Barryville.
 Grace S. G. Davies, Lake Kusahaqua.
 Clarence T. Cahill, Palisades.
 Edward G. Watts, Silver Bay.

UTAH

Telma I. Sorrell, Fort Douglas.
 Paul G. Johnson, Grantsville.

WEST VIRGINIA

Mabel M. Messinger, Branchland.

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 1, 1938

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty and most merciful Father, whereby are given unto us exceeding, great, and precious promises, inspire us to give them all diligence, adding to our faith virtue and to our virtue knowledge. O Lord God, how beautiful are all Thy works. In wisdom Thou hast made them all. The earth is full of Thy riches. May we hallow Thy name with praise and gratitude. Speak words of loving cheer. Leave no opportunity unimproved to serve others. Stand close beside us, Heavenly Father. Today let duty have no uncertain flame, but in its performance may our country look and find merit. Oh, fill us with the spirit of the Master, as we remember what the Lord hath done. In His holy name. Amen.

The Journal of the proceedings of yesterday was read and approved.

EAT-MORE-MEAT CAMPAIGN

Mr. NELSON. Mr. Speaker, I ask unanimous consent to address the House for a minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. NELSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. NELSON. Mr. Speaker, today in Chicago there is being held a meeting for the purpose of promoting increased interest in livestock production for the benefit of stockmen and farmers. Every Member of Congress ought to feel that he has a stake in this meeting—and I mean no play on words—whether representing a country or a city district. All business depends to a great degree upon agriculture. Permanent agriculture depends upon soil fertility, and without livestock we cannot maintain the fertility of the soil.

The Chicago meeting, then, has no narrow or selfish objective. Its benefits will not be confined to a few. It is not just for the producers, processors, and marketers of meat. In fact, it fits perfectly into the important and far-reaching conservation program of our great President. Advance information as to the meeting indicated that among those in attendance would be heads of more than a score of railroads, editors of farm papers, president of the National Association of Manufacturers, representatives of hotel and restaurant associations, wholesale and retail meat dealers, officers of agricultural associations, and many others interested in the livestock industry.

I say that all of us ought to feel a real personal interest in this meeting, for there is not a congressional district in the United States where meat is not produced or eaten. To one unfamiliar with the livestock and meat business the figures are so big as to be almost unbelievable. Year in and year out the people of the United States eat about 16,000,000,000 pounds of meat annually.

In eight States meat packing is the largest manufacturing industry. These States are Illinois, Iowa, Minnesota, Kansas, Nebraska, Missouri, Colorado, and South Dakota. In 1935, the last year for which I have been able to secure Government figures, the meat-packing industry turned out products valued at more than two and a third billion dollars.

Of all the tillable land in the United States, more than two-thirds of it is given over to the production of livestock or in growing feed for animals bred and fed on the farms. About 25 percent of the farm income is derived from meat animals. Almost five and one-half million farms out of a national total of nearly 7,000,000 were reported by the census as having some cattle, with approximately one and one-half million farms producing beef cattle. Hogs were grown on nearly 4,000,000 farms, and sheep on nearly two-thirds of a million.

Nearly one-sixth of the 900,000 people engaged in manufacturing foods and kindred products in 1925 were employees of meat-packing plants. In addition, it is estimated that some 240,000 persons are engaged in selling meat. Then, there are the many engaged in railroad work, trucking, at the stockyards, and in commission houses. Nor should we forget those who supply the salt and sugar and much else that enters into the sale of meat. Just here I would remind you that when we buy meat we get meat for every cent of our money, not one fraction of which goes for fancy packages or containers.

Somebody asks, "Why an eat-more-meat campaign? Why interest ourselves in the livestock farmer when prices for hogs, sheep, and cattle are so very much higher, in many instances more than double, than before the beginning of the present administration?" I am glad to answer that question. While on yesterday in Chicago top hogs were \$9 per hundredweight, cattle the same, and top lambs \$8, the cost of producing these meat animals, owing to the high price of corn, due to devastating drouths, has been unusually high.

A few months ago, when cattle, for instance, were selling at a little profit to the producers and when meat prices were not out of proportion, a lot of folks in the big cities proposed a boycott, as foolish and unjustified a movement as one could imagine. It was not the first time that a boycott had been proposed. Some 20 years ago, when I was assistant secretary of agriculture for Missouri, meat boycotts were proposed in a number of large cities, the agitators perhaps being the fathers and mothers of some of those who are today, without complaint, paying more than the price of